

the loss of their child and then be forced to relive it again and again through parole hearings and appeals.

In response to their tragic loss, the D'Alessandro family has worked tirelessly at the state level for the enactment of Joan's Law, legislation providing that a child molester who murders a child under 13 in New Jersey will receive life in prison without the possibility of parole. Joan's Law is now on the books in New Jersey and I am proud that we, in this Congress, are seizing the opportunity to enact companion federal legislation.

My original legislation states that any person who is convicted of a serious violent felony should be sentenced to either death or imprisonment for life when the victim of the crime is under 14 years of age and dies as a result of the offense. As included in Senator HATCH's substitute to the House-passed bill, the bill also contains a narrow provision which allows the court to impose a lesser sentence in a case where the defendant has provided substantial assistance in the prosecution of another person. While I would have preferred Joan's Law to move forward as originally introduced, I understand and respect the addition of such a provision. It is a change that was made in consultation with and with the approval of both the D'Allesandro family and the bill's House sponsor, Representative BOB FRANKS.

I am heartened by the swift passage of the Child Protection and Sexual Predator Protection Act both in the Judiciary Committee and on the floor. By including Joan's Law among the bill's provisions we have sent a strong message that our society will neither tolerate nor forgive the brutal acts of a criminal who takes a young life and ensures that this murderer will never bring such harm and grief to another family. •

#### THE CHARTER SCHOOLS EXPANSION ACT

• Mr. COATS. Mr. President, I am happy to speak today in recognition of the passage by unanimous consent of the Charter Schools Expansion Act, the bi-partisan bill. Senator LIEBERMAN and I introduced this bill last November to help further expand the charter school movement which is so successfully providing new educational opportunities for children all around the country. This bill passed unanimously out of the Labor Committee and was unanimously approved by the Senate.

This important bill builds upon the great success of the original charter school legislation which Senator LIEBERMAN and former Senator Durenberger introduced in 1994. It was Senator Durenberger's timeless promotion of charter schools that educated all of us to the promise and the benefit of this important public educational reform initiative.

The Federal Charter School Grant Program provides seed money to char-

ter school operators to help them pay for the planning, design and initial implementation of a charter school. Since the program's inception, the number of charter schools has tripled, with over 1100 charter schools now operating in 33 States and the District of Columbia.

Charter schools are independent public schools that have been freed from onerous bureaucratic and regulatory burdens in order to pursue clear objectives and goals aimed at increasing student achievement. To increase student achievement, charter schools are able to design and deliver educational programs tailored to meet the needs of their students and their communities.

It is the individualized education available to students through charter schools that makes this a desirable educational alternative for many families. Charter schools give families an opportunity to choose the educational setting that best meet their child's needs. For many low-income families in particular, charter schools provide their first opportunity to select an educational setting which is best suited for their child.

Parents and educators have, in turn, given these programs overwhelmingly high marks. Broad-based studies conducted by the Department of Education and the Hudson Institute show that charters are effectively serving diverse populations, particularly disadvantaged and at-risk children, that traditional public schools have struggled to educate.

With results like these, it is no wonder that some of the strongest support for charter legislation comes from low-income families. Not only do these parents now have real educational choices, but they are actually needed in the charter school environment for everything from volunteering to coaching, fundraising, and even teaching. This direct involvement of families is helping to build small communities centered around the school.

Charter schools can be started by anyone interested in providing a quality education: parents, teachers, school administrators, community groups, businesses and colleges can all apply for a charter. And, importantly, if these schools fail to deliver a high-quality education, they will be closed—either through a district or State's accountability measures or from lack of students. Accountability is literally built into the charter school process—the school must comply with the provision in its charter, and unhappy parents and students can leave if they are not satisfied.

Additionally, a survey conducted last fall by the National School Boards Association (NSBA) found that the charter movement is already having a positive ripple effect that is being felt in many local public school districts. The NSBA report cites evidence that traditional public schools are working harder to please local families so they won't abandon them to competing charter schools, and that central ad-

ministrators often see charters as "a powerful tool" to develop new ideas and programs without fearing regulatory roadblocks.

Several other studies have recently been released highlighting the success of charter schools around the country. Among other things, these studies have shown that charter schools have successfully met and surpassed the standards outlined in their charters, attracted significant proportions of minority and low-income students, and have higher parental approval rates than public schools.

The results of these studies point to important ways to improve and reinvent public education as a whole. The implications from the success of charter schools indicate that public schools should be consumer-oriented, diverse, results-oriented, and professional places that also function as mediating institutions in their communities.

The purpose of this bill is to further encourage the growth of high-quality charter schools around the country. This bill provides incentives to encourage States to increase the number of high quality charter schools in their State. To qualify for funding under this bill, States must satisfy two criteria. First, they must provide for review and evaluation of their charter schools by the public chartering agency at least once every five years to ensure that the charter school is meeting the terms of its charter and meeting its academic performance requirements. And second, States meet at least one of three priority criteria:

The State has demonstrated progress in increasing the number of high quality charter schools that meet clear and measurable objectives for the educational progress of their students;

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To help ensure that the amount of the federal grants are proportional to the level of charter school activity in the State, this bill directs the Secretary to take into consideration the number of charter schools in operation, or that have been approved to open.

During drafting of this bill, the single greatest concern I heard from charter school operators related to their ability to access their fair share of federal education funding. And so, to ensure that charter schools have enough funding to continue once their doors are opened, this bill provides that charter schools get their fair share of federal programs for which they are eligible, such as Title 1 and IDEA. The bill also directs States to inform their charter schools of any Federal funds to which they are entitled.

This bill also increases the financing options available to charter schools and allows them to utilize funds from the Title VI block grant program for start-up costs.

Because it is so important that charter schools are held accountable in return for the flexibility they are given from Federal, state and local laws and regulations, this amendment includes

several significant provisions which strengthen accountability. First, under the priority criteria, States must review and evaluate their charter schools at least once every five years to ensure that they are meeting the terms of their charter and their academic performance requirements. They are rewarded for increasing the number of high quality charter schools that are "held accountable in their charter for meeting clear and measurable objectives for the educational progress of their students."

The definitions section of the bill also stresses accountability by requiring a written performance contract with the authorized chartering agency in the State. These written performance contracts include clearly defined objectives for the charter school to meet in return for the autonomy they are given. The performance objectives in the contract are to be measured by State assessments and other assessments the charter wishes to use.

I am confident that this amendment will build on and contribute to the success of the charter school movement. This bill stresses the need for high quality, accountable schools which are given the autonomy they need to provide the best educational opportunity for their students.

With the passage of this bill, a strong signal will be sent to parents and teachers all across this country that they are not alone in their struggle to improve education. We hope to ease their struggle by enabling new charter schools to be developed. More charter schools will result in greater accountability, broader flexibility for classroom innovation, and ultimately more choice in public education. I urge my colleagues to increase educational opportunities for all children by supporting this bill.

Mr. President, I would like to take a moment and thank Senator LIEBERMAN for his tremendous leadership in the area of educational reform. He and I have worked closely on a number of issues over the last several years, and I want to commend him, in particular, for his strong support and leadership on issues concerning increasing educational opportunities for low-income children. He understands so clearly the fundamental importance of providing a high quality education in a safe environmental of our neediest children. In addition to this charter schools bill, which will help to increase educational opportunities for low-income children, Senator LIEBERMAN and I have worked closely for the last 4 years to gain support for publicly-funded scholarships for low-income children. I want to thank him for his unwavering commitment to this issue and his vitally important leadership. His efforts have done much to win bipartisan support for both charter schools and low-income scholarships and I thank him for his strong commitment to our country's neediest children. With the passage of this charter schools bill, Sen-

ator LIEBERMAN and I have the pleasure of seeing the first of our joint educational reform initiatives move closer to becoming law. •

#### 1998 WATER RESOURCES DEVELOPMENT ACT

• Mr. GRAHAM. Mr. President, I would like to take this opportunity to make some remarks regarding S. 2131, the Water Resources Development Act which passed the Senate by unanimous consent on October 8, 1998.

I would like to first thank my colleague Senator MACK from Florida for his partnership on our efforts to produce a WRDA bill that reflects the needs of our State. I would also like to thank Senator CHAFEE, Senator BAUCUS, and Senator WARNER for their leadership on this critical piece of legislation. The 1998 WRDA bill includes many key items for the State of Florida, a few of which I would like to highlight today.

As you know, water issues in Florida include everything from coastal protection to inland water quality management and from statewide drought to statewide flooding. Our history dealing with water resources has caused some of our own problems that we seek to correct today.

In the area of the Everglades and South Florida Ecosystem Restoration: The Everglades restoration project is the largest restoration program in the world. This vast region, which is home to more than six million Americans, seven of the ten fastest growing cities in the country, a huge tourism industry, and a large agricultural economy, also encompasses one of the world's unique environmental resources. Over the past 100 years, manmade changes to the region's water flow have provided important economic benefits to the region, but have also had devastating effects on the environment. Biological indicators in the form of native flora and fauna have shown severe damage throughout south Florida.

The work of the Army Corps of Engineers is essential to this restoration effort. The critical projects authorized in WRDA 1996 have demonstrated substantial success. The South Florida Ecosystem Restoration Task Force, the Governor's Commission for a Sustainable South Florida, local sponsors, and the Army Corps have completed a review of over 100 potential projects, narrowed the list to 35 and ranked them in order of priority for accelerating the restoration of the South Florida ecosystem.

In addition to this extension, the WRDA 1998 bill includes a \$27 million authorization for the Hillsboro and Okeechobee Aquifer Storage and Recovery Project. This technology is presently used to create subsurface reservoirs for drinking water. The Army Corps is considering the use of Aquifer Storage and Recovery as a water storage technology for use in implementation of the Restudy. Our action to au-

thorize work on this project will allow early evaluation of the viability of this technology.

Finally, the WRDA 1998 bill includes clarifying language that expenditures by the state of Florida for land acquisitions in the Caloosahatchee River basin are eligible for Federal reimbursement if they are identified as part of the restudy when it is released in July 1999. Our action assures the State of Florida that acquired lands that become part of the restudy will be eligible for Federal reimbursement.

In the area of water supply: One of the unique aspects of the Florida water system is that we frequently experience periods of drought and periods of flooding. This is the nature of a system that has been modified by human manipulation of natural flowways. In the State of Florida, our growing population coupled with the need to protect our natural systems has created a water quality challenge. From 1995 to 1996, Florida added 260,000 new residents, or the equivalent of four new Daytona Beaches. Between 1980 to 1995, Florida's public water supply needs increased 43 percent more than double the national average of 16 percent. This shows no signs of slowing down. Today, Florida continues to grow at the rate of more than 800 people per day.

Many other States on the eastern seaboard face similar challenges. For example, a recent article in New Jersey Monthly stated that New Jersey leads the nation in the percentage of land mass that is classified as having a high vulnerability for serious water quality problems. According to the U.S. EPA, more than 66 percent of the State falls into the most precarious category for water quality.

In addition, as early as 1983, a U.S. Army Corps of Engineers study stated that deficits in water supply for the area in Virginia south of the James River are projected to be as much as 60 million gallons per day by the year 2030. Ground water withdrawals have caused water level declines of as much as 200 feet in some areas. In the State of New York, water levels in aquifers are predicted to decline by as much as 18 feet and low flows in streams may be decreased by 90 percent in parts of Long Island.

In each of these cases, water supply is tied to water quality. Problems such as groundwater overpumping, damage of existing wetlands, and saltwater intrusion of aquifers can cause irreparable damage to our water systems and surrounding ecosystems. For example, since 1906 wetland acreage in the State of Florida has shrunk by 46 percent resulting in a loss of both critical habitats and a key link in the replenishment of our aquifers. The development of alternative water sources that will help to resolve these types of issues and will allow States to provide for future water supply needs without sacrificing environmental protection is my goal.

The WRDA 1998 bill includes a requirement for EPA to study water