

Kennedy	Neal	Sherman
Kildee	Nethercutt	Sherwood
Kilpatrick	Ney	Shimkus
Kind (WI)	Northup	Shows
King (NY)	Norwood	Shuster
Kingston	Nussle	Simpson
Kleccka	Obey	Sisisky
Knollenberg	Olver	Skeen
Kolbe	Ortiz	Skelton
Kuykendall	Ose	Slaughter
LaFalce	Owens	Smith (MI)
LaHood	Oxley	Smith (NJ)
Lampson	Packard	Smith (TX)
Lantos	Paul	Smith (WA)
Larson	Payne	Snyder
Latham	Pease	Souder
LaTourette	Pelosi	Spence
Lazio	Peterson (PA)	Spratt
Leach	Petri	Stabenow
Lee	Phelps	Stark
Levin	Pickering	Stearns
Lewis (CA)	Pitts	Stenholm
Lewis (GA)	Pombo	Stump
Lewis (KY)	Pomeroy	Sununu
Lofgren	Porter	Talent
Lowey	Portman	Tanner
Lucas (KY)	Price (NC)	Tauscher
Lucas (OK)	Pryce (OH)	Tauzin
Luther	Rahall	Taylor (NC)
Maloney (CT)	Radanovich	Terry
Maloney (NY)	Rahall	Thomas
Manzullo	Rangel	Thornberry
Martinez	Regula	Thune
Mascara	Reyes	Thurman
McCollum	Reynolds	Tiahrt
McCrery	Riley	Tierney
McGovern	Rivers	Toomey
McHugh	Rodriguez	Toomey
McInnis	Roemer	Towns
McIntosh	Rogers	Trafficant
McIntyre	Rohrabacher	Turner
McKeon	Ros-Lehtinen	Upton
McKinney	Rothman	Vento
Meehan	Roukema	Vitter
Meeks (NY)	Roybal-Allard	Walden
Menendez	Royce	Walsh
Metcalf	Rush	Wamp
Mica	Ryan (WI)	Watkins
Millender-	Ryun (KS)	Watt (NC)
McDonald	Salmon	Watts (OK)
Miller (FL)	Sanchez	Waxman
Miller, Gary	Sandlin	Weiner
Minge	Sanford	Weldon (FL)
Mink	Sawyer	Weldon (PA)
Moakley	Saxton	Wexler
Mollohan	Schakowsky	Weygand
Moore	Scott	Whitfield
Moran (VA)	Sensenbrenner	Wicker
Morella	Serrano	Wilson
Murtha	Sessions	Wise
Myrick	Shadegg	Wolf
Nadler	Shaw	Woolsey
Napolitano	Shays	Wynn
		Young (FL)

NAYS—62

Aderholt	Gutierrez	Pastor
Baird	Hefley	Peterson (MN)
Becerra	Hill (MT)	Pickett
Bilbray	Hilleary	Ramstad
Borski	Hilliard	Rogan
Brady (PA)	Hoekstra	Sabo
Capuano	Hooley	Schaffer
Clay	Johnson, E.B.	Strickland
Clyburn	Klink	Stupak
Costello	Kucinich	Sweeney
Crane	Lipinski	Tancredo
DeFazio	LoBiondo	Taylor (MS)
Dickey	Markey	Thompson (CA)
English	McDermott	Thompson (MS)
Etheridge	McNulty	Udall (CO)
Evans	Meek (FL)	Udall (NM)
Fattah	Miller, George	Visclosky
Filner	Moran (KS)	Waters
Gibbons	Oberstar	Weller
Gillmor	Pallone	Wu
Green (TX)	Pascrell	

NOT VOTING—19

Bachus	Gutknecht	McCarthy (NY)
Burton	Isakson	Sanders
Camp	Jefferson	Scarborough
Combest	Largent	Velazquez
Cummings	Linder	Young (AK)
Forbes	Matsui	
Gephardt	McCarthy (MO)	

□ 1101

So the Journal was approved.

The result of the vote was announced as above recorded.

APPOINTMENT OF CONFEREES ON H.R. 3064, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore (Mr. THORNBERRY). Without objection, the Chair appoints the following conferees on the bill, H.R. 3064: Messrs. ISTOOK, CUNNINGHAM, TIAHRT, and ADERHOLT, Mrs. EMERSON, and Messrs. SUNUNU, YOUNG of Florida, MORAN of Virginia, DIXON, MOLLOHAN and OBEY.

There was no objection.

GENERAL LEAVE

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2, the Student Results Act of 1999.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

STUDENT RESULTS ACT OF 1999

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 336 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2.

□ 1104

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2) to send more dollars to the classroom and for certain other purposes, with Mr. THORNBERRY (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Wednesday, October 20, 1999, Amendment No. 4 by the gentlewoman from Hawaii (Mrs. MINK) had been disposed of. Three hours and 20 minutes remain for consideration of the bill under the 5-minute rule.

Are there further amendments to the bill?

AMENDMENT NO. 56 OFFERED BY MR. ARMEY

Mr. ARMEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 56 offered by Mr. ARMEY:

Before section 111 of the bill, insert the following (and redesignate any subsequent sections accordingly):

SEC. 111. PUPIL SAFETY AND FAMILY SCHOOL CHOICE.

Subpart 1 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) is amended by in-

serting after section 1115A of such Act (20 U.S.C. 6316) the following:

"SEC. 1115B. PUPIL SAFETY AND FAMILY SCHOOL CHOICE.

"(a) IN GENERAL.—If a student is eligible to be served under section 1115(b), or attends a school eligible for a schoolwide program under section 1114, and—

"(1) becomes a victim of a violent criminal offense while in or on the grounds of a public elementary school or secondary school that the student attends and that receives assistance under this part, then the local educational agency shall allow such student to attend any other public or private elementary school or secondary school, including a sectarian school, in the same State as the school where the criminal offense occurred, that is selected by the student's parent; or

"(2) the public school that the student attends and that receives assistance under this part has been designated as an unsafe public school, then the local educational agency may allow such student to attend any other public or private elementary school or secondary school, including a sectarian school, in the same State as the school where the criminal offense occurred, that is selected by the student's parent.

"(b) STATE EDUCATIONAL AGENCY DETERMINATIONS.—

"(1) The State educational agency shall determine, based upon State law, what actions constitute a violent criminal offense for purposes of this section.

"(2) The State educational agency shall determine which schools in the State are unsafe public schools.

"(3) The term 'unsafe public schools' means a public school that has serious crime, violence, illegal drug, and discipline problems, as indicated by conditions that may include high rates of—

"(A) expulsions and suspensions of students from school;

"(B) referrals of students to alternative schools for disciplinary reasons, to special programs or schools for delinquent youth, or to juvenile court;

"(C) victimization of students or teachers by criminal acts, including robbery, assault and homicide;

"(D) enrolled students who are under court supervision for past criminal behavior;

"(E) possession, use, sale or distribution of illegal drugs;

"(F) enrolled students who are attending school while under the influence of illegal drugs or alcohol;

"(G) possession or use of guns or other weapons;

"(H) participation in youth gangs; or

"(I) crimes against property, such as theft or vandalism.

"(c) TRANSPORTATION AND TUITION COSTS.—The local educational agency that serves the public school in or on the grounds on which the violent criminal offense occurred or that serves the designated unsafe public school may use funds hereafter provided under this part to provide transportation services or to pay the reasonable costs of transportation or the reasonable costs of tuition or mandatory fees associated with attending another school, public or private, selected by the student's parent. The local educational agency shall ensure that this subsection is carried out in a constitutional manner.

"(d) SPECIAL RULE.—Any school receiving assistance provided under this section shall comply with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and not discriminate on the basis of race, color, or national origin.

"(e) PART B OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—Nothing in this section shall be construed to affect the requirements of part B of the Individuals with

Disabilities Education Act (20 U.S.C. 1411 et seq.).

“(f) MAXIMUM AMOUNT.—Notwithstanding any other provision of this section, the amount of assistance provided under this part for a student shall not exceed the per pupil expenditure for elementary or secondary education, as appropriate, by the local educational agency that serves the school—

“(1) where the violent criminal offense occurred for the fiscal year preceding the fiscal year in which the offense occurred; or

“(2) designated as an unsafe public school by the State educational agency for the fiscal year preceding the fiscal year for which the designation is made.

“(g) CONSTRUCTION.—Nothing in this Act or any other Federal law shall be construed to prevent a parent assisted under this section from selecting the public or private elementary school or secondary school that a child of the parent will attend within the State.

“(h) CONSIDERATION OF ASSISTANCE.—Assistance used under this section to pay the costs for a student to attend a private school shall not be considered to be Federal aid to the school, and the Federal Government shall have no authority to influence or regulate the operations of a private school as a result of assistance received under this section.

“(i) CONTINUING ELIGIBILITY.—A student assisted under this section shall remain eligible to continue receiving assistance under this section for 5 academic years without regard to whether the student is eligible for assistance under section 1114 or 1115(b).

“(j) TUITION CHARGES.—Assistance under this section may not be used to pay tuition or mandatory fees at a private elementary school or secondary school in an amount that is greater than the tuition and mandatory fees paid by students not assisted under this section at such private school.

“(k) SECTARIAN INSTITUTIONS.—Nothing in this section shall be construed to supersede or modify any provision of a State constitution that prohibits the expenditure of public funds in or by sectarian institutions.”

After part G of the Elementary and Secondary Education Act of 1965, as proposed to be added by section 171 of the bill, insert the following:

PART F—ACADEMIC EMERGENCIES

SEC. 181. ACADEMIC EMERGENCIES.

(a) ACADEMIC EMERGENCIES.—Title I of the Act is amended by adding at the end the following:

“PART H—ACADEMIC EMERGENCIES

“SEC. 1801. SHORT TITLE.

“This part may be cited as the “Academic Emergency Act”.”

“SEC. 1802. PROGRAM AUTHORIZED.

“(a) IN GENERAL.—The Secretary is authorized to provide funds to States that have 1 or more schools designated under section 1803 as academic emergency schools to provide parents whose children attend such schools with education alternatives.

“(b) GRANTS TO STATES.—Grants awarded to a State under this part shall be awarded for a period of not more than 5 years.

“SEC. 1803. ACADEMIC EMERGENCY DESIGNATION.

“(a) DESIGNATION.—The Governor of each State may designate 1 or more schools in the State that meet the eligibility requirements set forth in subsection (b) or are identified for school improvement under section 1116(b) as academic emergency schools.

“(b) ELIGIBILITY.—To be designated as an academic emergency school, the school shall be a public elementary school—

“(1) with a consistent record of poor performance by failing to meet minimum aca-

demical standards as determined by the State; and

“(2) in which more than 50 percent of the children attending are eligible for free or reduced price lunches under the National School Lunch Act (42 U.S.C. 1751 et seq.).

“(c) LIST TO SECRETARY.—To receive a grant under this part, the Governor shall submit a list of academic emergency schools to the State educational agency and the Secretary.

“SEC. 1804. APPLICATION AND STATE SELECTION.

“(a) APPLICATION.—Each State in which the Governor has designated 1 or more schools as academic emergency schools shall submit an application to the Secretary that includes the following:

“(1) ASSURANCES.—Assurances that the State shall—

“(A) use the funds provided under this part to supplement, not supplant, State and local funds that would otherwise be available for the purposes of this part;

“(B) provide written notification to the parents of every student eligible to receive academic emergency relief funds under this part, informing the parents of the voluntary nature of the program established under this part, and the availability of qualified schools within their geographic area;

“(C) provide parents and the education community with easily accessible information regarding available education alternatives; and

“(D) not reserve more than 4 percent of the amount made available under this part to pay administrative expenses.

“(2) INFORMATION.—Information regarding each academic emergency school, for the school year in which the application is submitted, regarding the number of children attending such school, including the number of children who are eligible for free or reduced-price lunch under the National School Lunch Act (42 U.S.C. 1751 et seq.) and the level of student performance.

“(b) STATE AWARDS.—

“(1) STATE SELECTION.—From the amount appropriated pursuant to the authority of section 1814 in any fiscal year, the Secretary shall award grants to States in accordance with this section.

“(2) PRIORITY.—To the extent practicable, the Secretary shall ensure that each State that completes an application in accordance with subsection (a) shall receive a grant of sufficient size to provide education alternatives to not less than 1 academic emergency school.

“(3) AWARD CRITERIA.—In determining the amount of a grant award to a State under this part, the Secretary shall take into consideration the number of schools designated as academic emergencies in the State and the number of eligible students in such schools.

“(4) STATE PLAN.—Each State that applies for funds under this part shall establish a plan—

“(A) to ensure that the greatest number of eligible students who attend academic emergency schools have an opportunity to receive an academic emergency relief funds; and

“(B) to develop a simple procedure to allow parents of participating eligible students to redeem academic emergency relief funds.

“SEC. 1805. SELECTION OF ACADEMIC EMERGENCY SCHOOLS AND AWARDS TO PARENTS.

“(a) SELECTION.—The State shall select academic emergency schools based on—

“(1) the number of eligible students attending an academic emergency school;

“(2) the availability of qualified schools near the academic emergency school; and

“(3) the academic performance of students in the academic emergency school.

“(b) INSUFFICIENT FUNDS.—If the amount of funds made available to a State under this part is insufficient to provide every eligible student in a selected academic emergency school with academic emergency relief funds, the State shall devise a random selection process to provide eligible students in such school whose family income does not exceed 185 percent of the poverty line the opportunity to participate in education alternatives established pursuant to this part.

“(c) PAYMENTS.—

“(1) IN GENERAL.—From the funds made available to a State under this part and not reserved under section 1804(a)(1)(D), a State shall pay not more than \$3,500 in academic emergency relief funds to the parents of each participating eligible student.

“(2) PERIOD OF AWARDS.—The academic emergency relief funds awarded to parents of participating eligible students shall be awarded for each school year during the grant period which shall terminate—

“(A) when a participating eligible student is no longer a student in the State; or

“(B) at the end of 5 years, whichever occurs first.

“(3) DURATION.—A State shall continue to receive funds under this part for distribution to parents of participating eligible students throughout the 5-year grant period.

“SEC. 1806. QUALIFIED SCHOOLS.

“(a) QUALIFICATIONS.—A State that submits an application to the Secretary under section 1804 shall publish the qualifications necessary for a school to participate as a qualified school under this part. At a minimum, each such school shall—

“(1) provide assurances to the State that it will comply with section 1810;

“(2) certify to the State that the amount charged to a parent using academic relief funds for tuition and fees does not exceed the amount for such tuition and fees charged to a parent not using such relief funds whose child attends the qualified school (excluding scholarship students attending such school); and

“(3) report to the State, not later than July 30 of each year in a manner prescribed by the State, information regarding student performance.

“(b) CONFIDENTIALITY.—No personal identifiers may be used in such report described in subsection (a)(3), except that the State may request such personal identifiers solely for the purpose of verifying student performance.

“SEC. 1807. ACADEMIC EMERGENCY RELIEF FUNDS.

“(a) USE OF ACADEMIC EMERGENCY RELIEF FUNDS.—A parent who receives academic emergency relief funds from a State under this part may use such funds to pay the costs of tuition and mandatory fees for a program of instruction at a qualified school.

“(b) NOT SCHOOL AID.—Academic emergency relief funds under this part shall be considered assistance to the student and shall not be considered assistance to a qualified school.

“SEC. 1808. EVALUATION.

“(a) ANNUAL EVALUATION.—

“(1) CONTRACT.—The Comptroller General of the United States shall enter into a contract, subject to amounts specified in Appropriation Acts, with an evaluating agency that has demonstrated experience in conducting evaluations, for the conduct of an ongoing rigorous evaluation of the education alternative program established under this part.

“(2) ANNUAL EVALUATION REQUIREMENT.—The contract described in paragraph (1) shall require the evaluating agency entering into such contract to annually evaluate the education alternative program established

under this part in accordance with the evaluation criteria described in subsection (b).

“(3) TRANSMISSION.—The contract described in paragraph (1) shall require the evaluating agency entering into such contract to transmit to the Comptroller General of the United States the findings of each annual evaluation under paragraph (2).

“(b) EVALUATION CRITERIA.—The Comptroller General of the United States, in consultation with the Secretary, shall establish minimum criteria for evaluating the education alternative program established under this part. Such criteria shall provide for—

“(1) a description of the effects of the programs on the level of student participation and parental satisfaction with the education alternatives provided pursuant to this part compared to the educational achievement of students who choose to remain at academic emergency schools selected for participation under this part; and

“(2) a description of the effects of the programs on the educational performance of eligible students who receive academic emergency relief funds compared to the educational performance of students who choose to remain at academic emergency schools selected for participation under this part.

“SEC. 1809. REPORTS BY COMPTROLLER GENERAL.

“(a) INTERIM REPORTS.—Three years after the date of enactment of the Student Results Act of 1999, the Comptroller General of the United States shall submit an interim report to Congress on the findings of the annual evaluations under section 1808(a)(2) for the education alternative program established under this part. The report shall contain a copy of the annual evaluation under section 1808(a)(2) of education alternative program established under this part.

“(b) FINAL REPORT.—The Comptroller General shall submit a final report to Congress, not later than 7 years after the date of the enactment of the Student Results Act of 1999, that summarizes the findings of the annual evaluations under section 1808(a)(2).

“SEC. 1810. CIVIL RIGHTS.

“(a) IN GENERAL.—A qualified school under this part shall not discriminate on the basis of race, color, national origin, or sex in carrying out the provisions of this part.

“(b) APPLICABILITY AND CONSTRUCTION WITH RESPECT TO DISCRIMINATION ON THE BASIS OF SEX.—

“(1) APPLICABILITY.—With respect to discrimination on the basis of sex, subsection (a) shall not apply to a qualified school that is controlled by a religious organization if the application of subsection (a) is inconsistent with the religious tenets of the qualified school.

“(2) SINGLE-SEX SCHOOLS, CLASSES, OR ACTIVITIES.—With respect to discrimination on the basis of sex, nothing in subsection (a) shall be construed to prevent a parent from choosing, or a qualified school from offering, a single-sex school, class, or activity.

“SEC. 1811. RULES OF CONSTRUCTION.

“(a) IN GENERAL.—Nothing in this part shall be construed to prevent a qualified school that is operated by, supervised by, controlled by, or connected to a religious organization from employing, admitting, or giving preference to persons of the same religion to the extent determined by such school to promote the religious purpose for which the qualified school is established or maintained.

“(b) SECTARIAN PURPOSES.—Nothing in this part shall be construed to prohibit the use of funds made available under this part for sectarian educational purposes, or to require a qualified school to remove religious art, icons, scripture, or other symbols.

“SEC. 1812. CHILDREN WITH DISABILITIES.

“Nothing in this part shall affect the rights of students, or the obligations of public schools of a State, under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

“SEC. 1813. DEFINITIONS.

“As used in this part:

“(1) The terms “local educational agency” and “State educational agency” have the same meanings given such terms in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

“(2) The term “eligible student” means a student enrolled, in a grade between kindergarten and 4th, in an academic emergency school during the school year in which the Governor designates the school as an academic emergency school, except that the parents of a child enrolled in kindergarten at the time of the Governor’s designation shall not be eligible to receive academic emergency relief funds until the child is in first grade.

“(3) The term “Governor” means the chief executive officer of the State.

“(4) The term “parent” includes a legal guardian or other person standing in loco parentis.

“(5) The term “poverty line” means the income official poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

“(6) The term “qualified school” means a public, private, or independent elementary school that meets the requirements of section 1806 and any other qualifications established by the State to accept academic emergency relief funds from the parents of participating eligible students.

“(7) The term “Secretary” means the Secretary of Education.

“(8) The term “State” means each of the 50 States and the District of Columbia.

“SEC. 1814. AUTHORIZATIONS OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part \$100,000,000 for fiscal year 2000 and such sums as may be necessary for each of the fiscal years 2001 through 2004, except that the amount authorized to be appropriated may not exceed \$100,000,000 for any fiscal year.”

(b) REPEALS.—The following programs are repealed:

(1) INTERNATIONAL EDUCATION EXCHANGE PROGRAM.—Section 601 of the Goals 2000: Educate America Act (20 U.S.C. 5951).

(2) FUND FOR THE IMPROVEMENT OF EDUCATION.—Part A of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8001 et seq.).

(3) 21ST CENTURY COMMUNITY LEARNING CENTERS.—Part I of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8241 et seq.).

Mr. ARMEY. Mr. Chairman, let me begin by thanking the committee for bringing this legislation to the floor. If I might, I would like to reflect for just a moment on a personal basis.

Mr. Chairman, I think I can say that I am sure my own feelings on the subject of education are pretty much the same as everybody else in this body. I have dealt with education all of my life, as a student, as a parent, as a teacher, and now as a grandparent and a legislator.

One of the things that I have felt very seriously about in the last few days as I have thought about this bill

is that all of a sudden, now as a grandparent, Mr. Chairman, I realize that these children for whom we talk about education today, my grandchildren, are more precious, or seem to be more precious to me at this time in my life, even than my own were at that time. Maybe that is just the business of being a grandparent and knowing that one’s grandkids are more precious than your own children.

But we are really talking about some very serious business with some very important people in our lives. I cannot think of anything that any society that can be that can ever be more important than educating and keeping safe and happy the children.

Mr. Chairman, there are some unsettling circumstances out there that are faced by the children of this Nation, and I just want to review a few of them. There are 15,000 schools in America that are on a list of most-troubled Title I schools. One hundred of these have been on the list for 10 years or more. There are children who are being abandoned by the bureaucracy that does not seem to care, and we must find an alternative. Even perhaps more frightening, Mr. Chairman, there are children that feel trapped in violent schools. There are children that go to school and are assaulted in school, and they are scared. This amendment seeks to address that.

I want to ask just a very simple question. As we mark up this bill and we relate to all of the issues we have here, can we not stop for a moment and say that no child should be trapped and no parent should feel trapped by a circumstance where that child must have as their only alternative to stay in a school that is a failure, a school that the government might likely look at and say, that school is a disaster area. We have those in States across the country and in cities across the country. That school is a complete disaster area. If we had a flood, if we had a tornado and we saw disaster and we saw the children stuck in the muck and the mire of that disaster, we would declare it a disaster and we would do something about it. What I am asking us to do with this amendment is give the governor an opportunity to look at a school and say, that school is a disaster.

Mr. Chairman, most of us, thank goodness, as parents with families will make that decision on our own. We would say, my child is in a school that is a disaster, and I have the money, I have the ability, and I am going to pick up that child and move him some place else, and we do it. I pick up my whole family, my whole household and move it to another neighborhood. We do that. One does not have to go house hunting very many times and talk to many people who sell houses in America to realize that one of the first concerns that we have is what is the quality of the schools. But some people do not have those resources, some people do not have those options. Some people

feel like, my child is stuck there and I do not have the money to change it.

So I am asking in this bill to say to those parents, you should be able to get, if your governor determines that that school is a disaster and you feel like your child is stuck and you do not have any resources, you should be able to apply for and receive a scholarship of \$3,500 so that you can take your child and pick your child up and move your child to a school that is not a disaster area. That does not strike me as too much to ask.

And then in another way, we are addressing another concern that I have. If my child or grandchild came home from school and had been a victim of assault on the school grounds and was injured, sometimes these children are stabbed, beaten, I would be able to pick up my child, my son would be able to pick up my grandchild and move him out of that school, get him someplace else, get him safe. A lot of families cannot do that.

I am asking us here as a Congress to take a look at that mother and father and say, do we not have a heart for you? Are we ready to let you look at your baby and say honey, you have to go back there?

The CHAIRMAN. The time of the gentleman from Texas (Mr. ARMEY) has expired.

(By unanimous consent, Mr. ARMEY was allowed to proceed for 2 additional minutes.)

Mr. ARMEY. Mr. Chairman, I want my colleagues to think about that. A mother standing there in front of her baby, sixth, seventh grade child, coming up, bloody, battered, bruised and scared, frightened. These children sometimes are terrified, and to have that mother have no recourse but to say honey, cannot help it. You have to go back there tomorrow, there is no place else for you to go, is not acceptable. Fortunately, most children do not face that. Are we not lucky that most children do not have that fear? But some children do.

I am saying, we should be able to find in this bill, in this amendment some resources that say, if you are that mother, there is a place for you to go. If you do not have the money so that you can take that child to another school, there is a place for you to go. You do not have to say, go back there and be scared. You can apply for and receive a \$3,500 scholarship and take your child someplace else.

Now, Mr. Chairman, I am not asking for all of the money in the world forever. I am saying, I think these are two good ideas to address what might be the academic disaster we find in a school itself, or the academic and personal disaster we find in a child's battered and beaten body. I am saying, give us \$100 million, let it be available to the governors, to the families for 5 years and see if it works for the children. Five years from now, we can test the children and see if, in fact, they are succeeding in their new school or per-

haps with their new safety and security. If it does not work in their lives, we will not come back and ask for more, there is no need to reauthorize it. But for 5 years, Mr. Chairman, for 5 years, can we reach out a heart and a hand of compassion to children that are today stuck in schools that are disasters or who have had in their own personal life a horribly frightening, scary, tragic disaster.

I have seen that, Mr. Chairman. I have seen the child that has come home from school beaten up because they just did not fit in. That child does not have to go back and should not.

□ 1115

Mr. CLAY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I, too, am a grandfather. I have three grandchildren in public schools, and I am concerned about them as well as any other grandparent.

But I was lost by the logic or illogic of the last statement made about compassion for a seventh grader who is in an unsafe environment and that parent being able to take that child out of that unsafe environment and put that child in a safe environment.

I would think that to take one child out of an unsafe environment and leave the rest of the children in that unsafe environment does not make much sense. I would think one would take the disruptive children, the ones who are causing the unsafe environment, out of that situation and leave all of the children in a safe environment.

I, too, am a grandparent. I have many reasons why I oppose this amendment. The Committee on Education and the Workforce deliberated at length on the issue of private school vouchers. Then we voted overwhelmingly in committee to reject that concept.

Second, if this amendment were adopted, it would destroy the bipartisanship we developed on this bill during the last 12 or 14 months. It would also jeopardize all the progress that we are making in improving Title I.

Beyond that, Mr. Chairman, this is a reckless amendment that would divert funds from poor public schools to parochial schools. It provides no oversight of the quality of education provided with Federal funds, which is the opposite of what we are doing in the rest of this bill.

Also, Federal funding of private school vouchers raises serious constitutional issues that could jeopardize the independence of religious schools and disrupt the administration of Title I programs.

Finally, Mr. Chairman, this bill would have a very discriminatory effect. Those students who get private school vouchers can receive up to \$3,500 in vouchers, which is substantially more than per pupil allocation for current Title I students who are in the public schools.

So I urge my colleagues to reject this amendment and I yield back the balance of my time.

Mr. BOEHNER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in support of the amendment offered by the gentleman from Texas, the Majority Leader.

Most of us in this Chamber are pretty fortunate. Our kids go to good schools. I know that my kid went to good public schools in my district; and, frankly, the schools in my district, by and large, are very good schools.

But we also know that we have got children trapped in very bad schools around our country. The U.S. Department of Education keeps track of a list of academic emergencies. Some of these schools have been on this list for 10 years. I wonder how long we can look the other way when children are trapped in schools that have no chance of success. We are imprisoning those children for the rest of their lives.

Yes, Title I, we have spent an awful lot of money over the years. Yes, we have been able to save some children. The point here is that this is a pilot program aimed at the worst schools in the country to give parents some ability to help their children. The Governor has to have declared that the school is an academic emergency. The program is completely voluntary so that no State is forced to do this.

But the point I think that the gentleman from Texas (Mr. ARMEY) is trying to bring here is that it is time for us to help those who are most in need. Yes, if one is trapped in a bad school and one is a middle-income parent, one is a wealthy parent, one has school choice. One has an ability to take one's child out of that school and move them to another school.

But if one is locked in an inner-city school where there is an academic emergency, those parents do not have that ability. How can we continue to look the other way when we know that there are kids trapped in these kinds of schools?

I think that this is an idea worth trying. It is a separate \$200 million pilot project for 5 years. Let us see if it works. What do we have to fear from trying this program? It will not deny any school any money that they would already get under Title I and other Federal education programs. It would be in addition to that money.

So let us give these kids a real chance at success and a real shot at the American dream that they do not have today.

Mr. KILDEE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this amendment is contradictory to the underlying mission of H.R. 2. Very simply, this amendment would turn Title I into a private school voucher program. Obviously, I belong to the grandfather caucus, too. Here in this caucus, all of us are seeking the best possible education for our children, especially those who are in unsafe schools or are the victim

of a violent act or in a low-performing school.

However, taking precious Federal funding out of public schools and allowing it to go to private and parochial schools will not solve the problems of our educational system. In fact, the Catholic conference and every major educational group is opposed to voucherizing Title I.

H.R. 2 will focus on the achievement of individual children and at risk subgroups through this aggregation of data on State assessments. In addition, H.R. 2 strengthens both teacher quality by requiring a high qualified teacher in every classroom by 2003 and upgrading the qualifications of paraprofessionals.

This amendment will detract from this focus; and worse, by taking resources away from public schools, make it more difficult to implement these much needed reforms.

This amendment will not achieve the goal of increased student achievement, this amendment will make it harder for schools and communities to produce students who can go on to successful careers and high paying jobs. We should not and cannot pass this amendment today.

Mr. TANCREDO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am willing to admit something today that I think needs to be stated. It is something that is seldom heard in this body, seldom heard in any other legislative arena, certainly never heard in State legislatures, and certainly never heard on school boards. But it is something I believe to be true, I believe to be true for every one of us. That is, that we do not know, not my colleagues, not I, no one in this room, nor in the legislature, nor in the school board, no one knows what the best education is for every child in America.

We can hope, we can do what we can with whatever tools we have to provide a good quality education for America's children. But we do not know what the best educational environment is for every child. Only a parent is entrusted with that ability and responsibility. Even they can make some wrong decisions I know, but they will make better decisions about where their children should go to school than I can or my colleagues, frankly, or even members of school boards.

That is why I am willing to relinquish this power, this authority and give it to parents. But it is also why this issue is so controversial, because, frankly, my friends, the debate we have here today is not really about education. It is about power. It is about who controls the power over the educational system and the hundreds of millions of dollars, billions of dollars that go into it and the thousands and thousands of people employed in there. That is what the real issue is today, who will control it.

How can the education establishment keep control of the billions of dollars

that come into it? Well, the only way they can do that is by maintaining a one-size-fits-all government monopoly school system. The thing that frightens them to death, the scariest word in the English language to the people in this bureaucracy, to the anti-education people who run organizations like the National Education Association, the scariest word to them is freedom, freedom to let one's kid go wherever one wants to go, wherever that child should be placed. Because they want the control over the dollars and over the environment in which those children will be taught.

How can it be that those of us who ask for freedom for those parents are considered to be doing something that jeopardizes the educational quality of the schools?

It may, in fact, be, as a Member of the opposite side here said earlier, that one child leaving a school, why should not we worry about all the others if it is an unsafe school? Well, in fact, of course what we are saying here is that school may be a very good school for the majority of children in it. Not every child is affected the same way by that learning environment.

But if there is one there that is having a horrible experience but is economically not able to make the same decision that my colleagues and I might be able to make for our own kids, why should we not let the child go? What difference does it make to say they should be set free? How come that so rankles us?

It is peculiar to say in the least that we get so concerned about this. It is not every child. We are not closing every school. My kid went to public schools. I taught in public schools. My wife just retired from a public school after 27 years. It is not that I have anything against public schools. I believe in them. I believe that, in any sort of competitive environment, they will win. They have got the best teachers. They have got the best infrastructure.

But what we must do is give people the ability to choose among them and between them. To take that away from human beings is taking away an absolute right. It is an admission of something that we must all do.

We must admit, Mr. Chairman, people on the Committee on Education and the Workforce, we must admit to our colleagues here and to the people of the United States that we do not know what the best education is for every single child out there. But we do trust parents to help make that decision. Maybe it will not always be right, but it will be right more often than what we make the decision for them by forcing them into a system that may not work. I say forcing them because they do not have the economic ability to make a choice.

Mr. DEMINT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Armeey safe and sound schools amend-

ment. I stand here today as a father and a businessman to explain why I believe this amendment is a reasonable and necessary one to secure the future for every American child by giving them an excellent education.

As a father, I want my children to go to a school in a safe, orderly learning environment. I want them to be in a school which offers academic excellence. Failure is not acceptable when it comes to the education of my children or any child in America. Unfortunately, some children in the United States are trapped in schools which are either plagued by violence or failing them academically. In too many cases, we are failing on both counts.

Failure to educate Americans children, whether it is the richest of the rich or the poorest of the poor, is unacceptable. Unfortunately, too many children are trapped in low-performing schools, and too many parents are unaware of the academic failure of their neighborhood school.

How do we provide these needy children with the education they deserve? How do we help them out of this trap? We begin by informing parents, teachers, local communities about the academic performance and the safety of their local school.

The Armeey amendment would require schools to notify parents that their child is in an academically failing or an unsafe school and provide them with the opportunity to transfer their student to a nonfailing public school or, if necessary, a private or parochial school.

Some parents may make arrangements to have their child attend another school in the area. Some will want to keep their child in their neighborhood school. But they will demand change. They will want an excellent education for their child. No longer will low performance or academic failure be hidden from parents or tolerated by parents.

As a father, this makes sense. As a businessman, it makes sense. Competition leads to improvement and better choices. Some students will choose to go elsewhere to receive their education services.

But what about the students left behind? Do we intend to leave them in failing violent schools? Absolutely not. One of the elements in education improvement is parental involvement. Once parents know their neighborhood school has been labeled as a low-performing school, they will demand change. They will elect new school board members. They will hire a new principal. They will make sure teachers are trained. They will raise education expectations. Whatever it takes.

Does this aid the low-income students that this bill is designed to help? Absolutely. It provides both the short-term and long-term solution to secure the future for every American child with an excellent education in a safe learning environment.

I urge all of my colleagues to support the Army safe and sound schools amendment.

□ 1130

Mr. FOSSELLA. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Army amendment. I wish to compliment the majority leader for being such a vocal and forceful advocate for improving education for all children across the United States.

Let me just say a couple of things that I believe are important for the record. I believe everybody in this body believes that we need to improve education. Indeed, education should be a national issue. I know we have some wonderful teachers within the private and parochial schools, and especially in the public schools. I know that because I go to the school back home in Staten Island and Brooklyn any chance I get. And they are wonderful.

I also believe that every Member of this body is committed to enhancing academic achievement for our children, to ensure that our children get the best education possible. We recognize that when we invest in education what we essentially are investing in is our future and building upon what is the greatest country in the history of the world.

But what the gentleman from Texas (Mr. ARMEY) is seeking to do is to help what some in this body and some across the country believe are the helpless, the young children who are trapped, and this has been said so many times today, trapped in failing schools. And what is this all about? We want to help those who are deprived of the opportunity and who have limited freedom, those who are forced to send their children to these failing public schools.

I would ask my colleagues to go home to their districts and ask the parent who does not have two nickels to rub together, ask that mother or father if, given the chance, they would want to take their child out of a failing public school and send that child to a better one. Is there not a more important decision that we make as parents than where to send our kids to school? I can tell my colleagues in New York City, and I am sure it is true across the country, that those helpless parents really have no choice.

Recently, reports tell us that attacks from children and students against teachers are up dramatically. How does a child learn, how does an innocent child, whose parents want nothing but the best for him, learn in an environment where attacks against teachers are up dramatically? It is not as if that parent has a choice. They do not. Ask that parent and look at the look in their eyes when you tell them that we are going to give them the opportunity to send their child to a good school and see that their child gets a good education. I think many of my colleagues might be surprised at the response, but some of us are not.

Recently, the Washington, D.C. school system offered scholarships to the poorest individuals, the poorest families. Now, we are blessed. We can send our children to any school we want. But the poorest families, when given the chance, one in six chose to take their child out of a failing public school. I say "bravo" to that parent, because this issue is about civil rights. This is the movement we should be embarking upon.

I think we can work together to ensure that our public schools are improved and that we give the best to our teachers and reward them for their hard work, but, at the same time, understand and recognize that there are millions of parents across this country, that have no choice, that are trapped in these failing schools, that when they send their child off to school they do not know if they are going to come home with a black eye or get in a fight with some kids in schools. Nine-year-olds attacking teachers. That is the environment some of these kids are learning in. And it is in the Bronx, and it is on Staten Island, and it is in Indiana, and it is in Texas, and it is in California.

If we believe that this country is truly about freedom, and we have the freedom to go to any restaurant we want, to buy any car we want, but we do not have the opportunity to have the freedom to send our child to the school of our choice, then we are depriving the most essential basic right, and we are depriving those poor and helpless parents of a legitimate civil right.

I want to remind all my colleagues that this is a pilot program. If we fear this, we fear everything.

Mr. HAYES. Mr. Chairman, I move to strike the requisite number of words, and I rise in very strong support of the amendment of the gentleman from Texas (Mr. ARMEY), the majority leader.

Mr. Chairman, the gentleman from New York (Mr. FOSSELLA) and I have slightly different accents, but we have the same understanding of the effort here to secure the future for America's children, and that is what this amendment does. That is what this amendment is all about.

My friends on the left would erect an invisible shield and call it protective. This is not protective, it is destructive, to take the opportunity from parents to choose for their children. The Federal Government has the opportunity here to accelerate and enhance learning in public school, not continue to be a massive roadblock for learning.

There are those who would unfairly and incorrectly mischaracterize the Army amendment. I even heard the term voucherize used. This is untrue. The amendment gives hope to parents and children, especially disadvantaged children; hope by knowing that they are not trapped in a school where they will not learn the skills that they need to succeed in life; hope because they

can choose a better opportunity for their children, safe and sound. That is what this is all about.

Beside me on the left is a quote from our President in which he says, "Parents should be given more choice." He stood in this room before this body not long ago and said this; and we agree, and we are working hard to help provide those choices for parents that will help those children succeed.

Just last week I was in Fayetteville, North Carolina, in the 8th District, and there was a school where choice was given. Over 1,800 applicants for 600 spaces. Discipline, respect, uniforms. In other words, a different way to give children and teachers the academic environment in which they could learn. This choice has created an opportunity, an enthusiasm, a momentum, an energy that was exciting to see. It shows what can be done in public schools if we dare to be different, if we dare to move ourselves out of the trap created many times by the Federal Government in the past.

So, yes, I support this amendment. I would encourage everyone here to support the opportunity for parents to do the best for their children. Support the Army amendment.

Mr. HILL of Montana. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to first thank the majority leader for bringing this measure and this amendment to the floor, and I also want to thank our leadership in the Committee on Rules for making this amendment in order.

Mr. Chairman, all over America this morning parents sent their children off to school, and they did so with two basic expectations: first, that their children would be safe; and the second expectation is that while their children were at that school, they would be in an environment where they could learn basic skills, math and science and history and English, basic skills that would allow them to succeed in life.

The reality is, Mr. Chairman, that all over America today there are certain schools that cannot deliver on these basic set of expectations. They cannot provide a safe environment, and they cannot provide a quality learning environment.

Now, governors all over America have been working hard to reform education, and one of the things these governors tell us is that in many instances the Federal Government is an obstacle to reform rather than a partner in that reform. Many of the aspects of the bill that we are debating here today is to provide for flexibility and more creativity in bringing reform to education. This amendment is an extension of those reforms. It will be part of the effort in some States, not all, to bring real meaningful reform to their education system.

Now, Mr. Chairman, I am fortunate to represent a State that has really good schools. Montana students fare very well on national tests and meeting standards, but there are many

States where education emergencies truly exist. Schools absolutely cannot provide the basics, a safe and sound environment in school. So this amendment basically does this. It says that a governor who believes that an education disaster exists can declare that disaster and then provide grants to the parents of children to take their children out of a school that is failing to provide those basics and put them into a safe and a sound one.

Now, if a hurricane disaster exists, and that is not likely to happen in my State, but when it does happen, a governor can declare a disaster. He can act to protect the citizens. If a fire disaster, or a flood disaster, or a drought disaster exists, a governor can declare a disaster and he can act. Why in the world would we not give governors the same kind of authority to declare an academic disaster? Governors need every tool in the tool box that they can get to reform education. They need the tools that are appropriate to the condition and the problem that they are facing.

I believe it is time for Congress to make a simple declaration about education, and that declaration should be this: that it is about kids and kids first. Nothing else should really matter but the kids. This amendment says that kids are more important than the teachers' union; it says kids are more important than institutional structures.

I would urge my colleagues to support our kids and support this amendment. Put them first.

Mr. PITTS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in strong support of the amendment of my good friend, the majority leader, to H.R. 2; and I applaud his efforts to ensure that all children are given the opportunity to attend safe and sound schools. Our children should never be trapped in failing schools. Our children should not fear for their safety when they walk through the halls or into their classrooms. Parents must be given the ability to protect their children and to provide a good education for them.

Those who oppose the Armeley amendment oppose giving kids and parents a way out of failing schools and a way to educational success. Opponents believe in the status quo and in forcing disadvantaged children to remain in schools that are failing them.

When well-to-do students are struggling in school, what do their parents do? Generally, they send them to another school. Why? Because they have the money to do so. Do my colleagues think that low-income parents would not like to have this same option? They certainly want what is best for their children.

The most recent example of this came this year when the Children's Scholarship Fund was offering 40,000 scholarships, K through 12, to low-income families. How many people do my colleagues think applied for their chil-

dren to receive this opportunity? One and a quarter million. 1,250,000 families. Let me repeat. For just 40,000 scholarships, 1.25 million people, many were minorities, many families from 20,000 different communities in all 50 States sought this opportunity to get their children out of failing and unsafe schools.

Rich or poor, Americans want the best education possible for their children. The Army amendment puts parents back in the driver's seat for their children's education.

Now, I know monopolies do not like competition. Some of the powers that be are threatened by reform. They are afraid that they will lose control of their power. But this is reform that works. So for the sake of our children, for the sake of our Nation's kids, I urge my colleagues to support the Armeley amendment.

Mr. GOODLING. Mr. Chairman, I move to strike the requisite number of words.

Mr. ARMELEY. Mr. Chairman, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from Texas.

Mr. ARMELEY. Mr. Chairman, I thank the gentleman for yielding to me, and I want to thank everybody who spoke on behalf of this amendment.

I had asked one of the staff to get me a number. I do not have that number, but maybe I will get it. Until then, let me just take a wild guess or ask the question: How many billions of dollars do we spend each year in this great land to educate our children grades, K through 12? Together with our local taxes, and our State funding agencies, as well as through the Federal Government, we put it all together and we realize this must be some incredibly large number. What would my colleagues suppose that number is, \$100 billion a year that we spend to educate our little ones, K through 12?

□ 1145

Would we not agree that, for the most part, across this great land we are doing a pretty good job? The kids have pretty good schools. The kids are happy. The kids are learning well. The kids are pretty safe. And we are proud of that.

I have to tell my colleagues and I do not mind telling my colleagues that I believe that, for all the criticism, all the failure, all the heartbreak, this great Nation does put its children up front. This great Nation, I believe, is as good as any in the effort we make to educate our children, certainly in terms of the money we spend.

I believe the young lady has the number. Mr. Chairman, if the staffer has that number I was seeking, I would just like to look at that for a moment if she does not mind just bringing it to me. It is all right. This is a well-known fact in this town that staff researchers and gives us everything we pretend to know. It is not new. But I have the answer. I thank her again, and I certainly do appreciate her helping me out.

This is incredible. We spend \$324.3 billion in all public expenditures to educate our babies. I am so proud of that. In addition to that, we spend 27 billion additional dollars through private educational facilities to educate those children. That is \$351.3 billion that we spend for those babies. I am so proud of that.

Now, what have I said here? For the most part, we are doing well and we should be proud. But sometimes we do not. Sometimes we do not.

We have 15,000 schools year in and year out that are designated as failures. What is the number? One hundred of which have been on that list for 10 straight years or more, 100 schools 10 years or more that have been designated by their governors, have been designated by the Department of Education as subject disasters, crazy failures.

Think of those poor babies trapped in these schools. I have seen some of those schools. I have seen some of those children. I have to tell my colleagues, I am proud to tell my colleagues I have been helpful in getting some of those children the resources to move. I have seen the difference in their lives, and I have seen them happy and claiming math is their favorite subject in a private school where they felt safe and loved.

Most of these children are happy and safe when they go to school, no threat, no danger, no harm; and I am proud of that. Some children are beaten in school. Some children are stabbed in school. That is not acceptable.

Now, of that total \$351 billion that this great Nation spends, \$13.8 billion comes from this Congress, this budget, this Government, \$13.8 billion. One hundred chronically failed schools 10 years or more. Who knows where or how many badly beaten babies.

I ask my colleagues, with this amendment, out of \$13.8 billion, are they telling me we cannot find \$100 million to spread across this land for that school that is a disaster for all its children or for that child that came home beaten, battered, bloodied, broken, and scared to death? If they have got the heart to vote against that, we be to their grandchildren.

Mr. WELDON of Florida. Mr. Chairman, today I rise in strong support of Mr. ARMELEY's amendment to H.R. 2, The Student Results Act. This "Safe and Sound Schools Amendment" to Title I of ESEA is designed to help children whose schools fail to teach and protect them while in their care. This amendment could not have come at a better time. Many of our nation's public schools are in a state of emergency. Thousands of children are trapped in failing schools, and we need to provide them with a way out to gain a better education. Unfortunately, many of the children that are trapped in these failing public schools are from lower income families. We need to provide our children with the opportunity to choose another public or private school that is excellent and will provide them with the best education possible. We can not sit back and keep our students in schools that are not working.

The district I represent, the 15th district in Florida, has unfortunately been in the pathway of the many hurricanes that have been sweeping up Florida lately. When natural disasters of this kind happen, the federal government does not hesitate to send relief funds to the victims. This is a necessary and right practice.

In turn, it is also necessary to provide relief to our future, our nation's children, when they are trapped in failing schools—when they are victims of an academic emergency. The Safe and Sound Schools amendment establishes a well needed 5-year pilot program designed to create a national school choice option for elementary school children, grades 1–5, that are trapped in these failing schools. It is morally wrong to force them to stay in failing schools in the hope that one day these schools might improve. Eligible students, in schools that are “academic emergencies” could apply for \$3,500 in relief funds that will help defray the costs of attending any qualified public, private, or parochial school in their area.

The investment in our children is the best investment we can make. There is no need to keep our children in failing schools that are not providing them with a good education. This is a great pilot program that will benefit everyone, students, parents, and the future of our country.

Mr. BALLENGER. Mr. Chairman, I rise in strong support of the ArmeY amendment. As a colleague of mine from across the aisle stated last night, “we must provide opportunity early and often to the youth of America.” I agree with my colleague and that is why I support this amendment.

Many students who attend schools receiving Title I funding have been failed by our education system time and time again. Let us give them opportunities early and often to receive a better education and prepare for a better life. The ArmeY amendment simply establishes an optional nationwide pilot program that provides relief for students who attend a Title I school that is designated as “failing” or “unsafe” and allows them to receive up to \$3,500 in scholarship to attend a public, private or parochial school in their state.

As school violence continues to escalate and hamper the education of the American youth, let us take the power out of the violent offender's hands and place it in the hands of the students and parents. Children have the right to feel safe and parents should have the right to choose the education of their children.

Mr. Chairman, Title I has failed these students. Let us not fail these children again. Give students who attend Title I schools that are deemed “failing” or “unsafe” by their state the opportunity to grow and learn in a safe, successful environment. I urge my colleagues to support the ArmeY amendment.

The CHAIRMAN pro tempore (Mr. THORNBERRY). The question is on the amendment offered by the gentleman from Texas (Mr. ARMEY).

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CLAY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 166, noes 257, not voting 10, as follows:

[Roll No. 521]

AYES—166

Aderholt
Archer
ArmeY
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bateman
BileY
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Chabot
Chambliss
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Gekas

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggart
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Capps
Capuano
Cardin
Carson
Castle

NOES—257

Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes

Gibbons
Gilchrest
Gillmor
Goss
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hoekstra
Hunter
Hyde
Istook
Jenkins
Kasich
King (NY)
Kingston
Knollenberg
Kolbe
Largent
Latham
Lazio
Lewis (KY)
Linder
Lipinski
Lucas (OK)
Manzullo
McCollum
McCrery
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller, Gary
Myrick
Nethercutt
Northup
Norwood
Nussle
Ose
Oxley
Packard
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman

Frank (MA)
Frost
Ganske
Gejdenson
Gephardt
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Graham
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Inslee
Jackson (IL)
Jackson-Lee
(TX)
John

Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
KlecZka
Klink
Neal
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
LoBiondo
Lofgren
LoweY
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-
McDonald
Miller, George

Burton
Camp
Isakson
Jefferson

Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Porter
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer

NOT VOTING—10

Johnson, Sam
Jones (NC)
Lucas (KY)
McCarthy (MO)

□ 1211

So the amendment was rejected. The result of the vote was announced as above recorded.

Stated for:
Mr. BURTON of Indiana. Mr. Chairman, during rollcall vote 521, I was unavoidably detained and unable to be on the House floor during that time. Had I been here I would have voted “yea.”

Mr. SAM JOHNSON of Texas. Mr. Chairman, on rollcall No. 521, I was inadvertently detained. Had I been present, I would have voted “yes.”

(By unanimous consent, Mr. ROGERS was allowed to speak out of order.)

RECOGNIZING REIGNING MISS AMERICA,
HEATHER FRENCH OF KENTUCKY

Mr. ROGERS. Mr. Chairman, Kentucky has been extremely highly honored 2 weeks ago when the former Miss Kentucky was named Miss America. That is the first time in the history of the contest that a former Miss Kentucky has received that high distinction. We have with us on the premises today that lovely lady, Heather French, Miss America.

If I could refer to the gallery, I would refer the Members to the gallery to my right where Miss America is with us in this great body. Heather French has brought great distinction to our State

and to this great contest and we are excited that Miss America is Miss Kentucky.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. LATHAM). The gentleman is aware that he cannot refer to a person in the gallery.

AMENDMENT NO. 38 OFFERED BY MR. PAYNE

Mr. PAYNE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 38 offered by Mr. PAYNE:
Strike title VIII of the bill.

(Mr. PAYNE asked and was given permission to revise and extend his remarks.)

□ 1215

Mr. PAYNE. By way of background, Mr. Chairman, I want to state that just 2 weeks ago my amendment to retain Title I statewide programs at a 50 percent poverty threshold was approved with bipartisan support by the Committee on Education and the Workforce during our Title I markup. Unfortunately, through legislative maneuvering, this amendment was overridden by members of the committee while we were returning from a recessed meeting and I was out of the room, and a new title created by lowering again the threshold from 50 percent to 40 percent. This action was a major setback.

This move created a new title that lowered the threshold to 40 percent. This action was a major setback in the fight to provide each of our schoolchildren with a fair and comprehensive education, and my amendment will rectify that. It calls to strike the last provision in the bill that lowers the poverty threshold for schoolwide programs to 40 percent.

What that simply means is that, as my colleagues know, Title I funds are designated by the number of poverty students in the school district. The 40 percent threshold means that 60 percent of the students in that school do not have to qualify as poverty and, therefore, robbing schools with high number of poverty students from the scarce resources to go around.

Although this year's bipartisan effort to re-authorize Title I addressed many of the causal factors of the educational gap, and as a former teacher in a Title I school, I fear that certain portions of this bill will work to actually widen the gap even further.

Current law states that in order for a school to be eligible for schoolwide programs the school must have 50 percent of its student population come from poor families. Schoolwide programs are programs that may be provided to the entire student population of a school, not just the most financially or educationally disadvantaged.

Traditionally these schoolwide programs have been targeted to schools with higher concentrations of poverty

because the performance of all students in such schools tend to suffer. Further, schools with high percentages of lower-income students receive significantly large Title I grants, grants that can make an impact on a schoolwide level.

Regardless of these facts, the bill before us calls for yet another reduction in the poverty threshold for schoolwide program eligibility, reversing sort of a reverse Robin Hood, taking from the poor to give to those who are more fortunate. My amendment stops this unnecessary unfair reduction and calls for the retention of the 50 percent poverty threshold.

Opponents of this amendment may claim that lowering the poverty threshold will give schools more flexibility in establishing schoolwide programs. However, given the comprehensive nature of schoolwide programs, it is our responsibility to ensure that we meet the needs of the poorest schools which, in turn, have the lowest levels of schoolwide achievement. Research shows that the 50 percent poverty threshold should be retained because that is the level where we begin to see negative effects on the entire school population. School poverty levels below 50 percent have much smaller impact on the achievement of the entire school population.

For example, nonpoor students in schools between 35 and 50 percent poverty have about the same reading achievement level as schools falling between 20 and 35 percent poverty. Therefore, setting the poverty threshold at any level below 50 percent would be insufficient and arbitrary.

This program began in 1965 with the War on Poverty, and at that time the threshold was 75 percent poverty level. In reauthorization 5 years ago, we then saw the poverty level drop from 75 percent to 50 percent. Now we have seen this amendment come in to reduce the poverty threshold from 50 percent to 40 percent, and many in our committee feel that there should be a 25 percent threshold, which of course will eventually eliminate the program of its natural intent.

Title I began as a critical portion of the 1965 War on Poverty to help our Nation's most disadvantaged students. Let us pass this amendment to ensure that our most disadvantaged students in schools do, in fact, benefit from this crucial piece of legislation.

Our Nation is one Nation indivisible under God, and we should try to provide opportunity for all of us to meet the new challenges of the new millennium.

Mr. GOODLING. Mr. Chairman, I rise in opposition to the amendment. First of all, I want to clarify a few things that were mentioned here.

We have an agreement. The agreement was the 40 to 50, moving from 50 to 40. That was the agreement that was set up during all the negotiations; both sides agreed to that.

We had on our side an amendment, and we could have easily passed it, to

go down to 25 percent. I opposed the 25 percent and went back to the agreement we had before we ever began the markup.

Now I also want to mention that I did something that no other Chair would have ever done and did not have to do. We had two votes. We voted once, and then when one or two gentlemen returned, they were upset. I allowed a second vote, a rollcall vote. So I want to make sure everybody understands, and that would not happen, I do not believe, in any other committee.

What we have found, as I tried to mention over and over and over again, the program has failed and failed and failed and failed and failed, and it is totally unfair to these youngsters; and it is critical to the Nation that they do not continue to fail; and so what we have discovered is that the schoolwide programs are doing much better than many of the other programs in raising the academic achievement of all students. They testified from Maryland, they testified from Texas; they have statistics to show the accomplishments they have made for all children.

So we agreed, as I said, that we would move from 50 to 40. We defeated going down to 25 percent; we defeated going back up to 50 percent.

So it would be my hope that now that it is working and now that we are seeing some success for the most needy children in the country, we stop this business that I heard for 20 years, we got to be sure exactly where the penny goes. It does not matter whether it does not do any good; it does not matter if it tracks these kids forever.

Now we find some programs that work. Why are we not willing to try to give every child that opportunity to succeed?

So I would hope that we vote down this amendment, and I should indicate that we will be rolling all votes until the end of this legislation today.

So again, we realize that it is succeeding by using a schoolwide model, so let us not try to stop something that is succeeding to help the most needy children in this country.

Mr. KILDEE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we need to understand the gentleman from New Jersey's intention with this amendment; we need to examine the history of the schoolwide percentage in Title I.

Prior to the 1994 reauthorization of ESEA, the schoolwide percentage was 75 percent. In other words, prior to 1994, 75 percent or more of the children in our schools were poor; we could operate a schoolwide program where we can combine Federal, State and local funds to do whole-school reform. The 1994 reauthorization lowered this to 50 percent. This bill lowers this percentage to 40 percent, and the amendment offered by the gentleman from New Jersey (Mr. PAYNE) would return that to 50 percent.

I believe it is important to also realize that the prevailing research in this

area states that when a half of a school's population is poor, the entire school educational achievement is impacted. Below that level research shows that the impact is lessened. If research says that we should maintain the 50 percent threshold, we should pass the Payne amendment today.

Mr. Chairman, I yield to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Chairman, I want to associate my comments with the gentleman from Michigan (Mr. KILDEE) and show my strong support for a very important amendment on today's legislation, the amendment offered by the gentleman from New Jersey (Mr. PAYNE).

The genesis of this act, the purpose of this act, the priority of this act in 1965 was to try to focus and target money to the poorest and neediest and most at-risk children in America because the States were not adequately fulfilling that role. The Federal Government did it. We need to continue to focus the money there and not dilute those funds to students in need with a bill that is doing some innovative new things in a bipartisan way.

So I encourage in a bipartisan way for us to improve the bill further and support the gentleman from New Jersey's amendment.

Mr. KILDEE. Mr. Chairman, I yield to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Chairman, I rise in strong support of the Payne amendment.

I want to commend the gentleman from Pennsylvania (Mr. GOODLING) and thank him for leading the fight to keep this from being rolled all the way back to 25 percent, and I admire his leadership on that; but I think it is very important we keep this as 50 percent. I think it is very important that we say that a program that is designed to reach out and help economically disadvantaged children will stay that way, and I think if fewer than half the children in a school fit that economically disadvantaged category, but we permit the expenditure of Title I funds anyway in whole school reform, that we are marching toward Federal education revenue sharing, which is really not something I think we want to do.

The underlying purpose of this act is to use targeted resources for children who most need it, for children who have the least out of State and local resources. I think that the Payne amendment is crucial toward establishing that goal; I enthusiastically support it.

Mr. KILDEE. Mr. Chairman, I yield to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Mr. Chairman, I think this is a very, very important amendment. It goes to the principle that we are establishing by enacting this legislation to help children in low-income circumstances who are disadvantaged in many ways in their educational experience.

The fundamental issue is that the distribution of funds is based upon a head count of the number of low-income children in a particular area, and if we are going to put the moneys there on the basis of a head count of low-income children, then these children need to be served. We cannot take the money that is allocated by this head count and distribute it to other schools.

There is no question that every school needs help in America, but this legislation is geared to the low-income, disadvantaged communities; and that is where it should stay, and I think that the 50 percent cut off is a legitimate cut off. It allows for schoolwide reform where 50 percent of the children are in an economically disadvantaged category. Then all of the students in that particular enrolled school could benefit. But to lower it, I think, is to really destroy the essence of targeting this money to the children, and that is how the money gets to the local school districts, by a head count.

So let us not dilute the fundamental purpose of this legislation by taking the money away from these children and scattering it to other areas.

□ 1230

Mr. CASTLE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I appreciate the opportunity to speak on this amendment. Let me just start by saying that I respect greatly all of those who have spoken on this particular amendment, and particularly the gentleman from New Jersey (Mr. PAYNE), the sponsor of this amendment. I have debated this issue with them as well as others in the Committee on Education and the Workforce, and I understand the sincerity of their beliefs in this.

Mr. Chairman, I believe that there is some reasoning here that we need to discuss in terms of how we are really helping kids. I am not one of those that is going to stand here and say that Title I has failed all together. God only knows where some of these students might be if it was not for Title I. On the other hand, I do not think that many people in this room can stand up and say that Title I has been a rip-roaring success either. That is not demonstrable one way or another. I believe we should continue Title I. I believe we should try to improve Title I. I think this is an excellent piece of legislation. We worked on it together, and I think that is fine.

But this particular point that we are debating right now I think is vitally important to the whole future of Title I and where we are going on this. I do not think we should reinstate the 50 percent school poverty threshold. I think it should go to 40 percent. One could argue it could go to 43 percent or whatever. If it went down to 25 percent, I would be up here opposing it or even 30 percent; but just as I support trying to keep it at the 40 percent level.

This is something, by the way, that was agreed to by many members of the committee who are ranking members, who sat down and worked this out, and among staff members, because we thought it was so important.

But why is it important? That is what I think we are missing. Does schoolwide work or not? What is schoolwide? Schoolwide is essentially when a school which may have 40 percent or 50 percent, whatever the number may be, who have kids who are economically disadvantaged and at the poverty threshold going to their particular school; and then they then put together programs that will lift the entire school so that everybody will benefit from it, but particularly aimed at trying to help that 40 percent or 50 percent or whatever it may be.

This is opposed to having special programs for those who may be educationally disadvantaged as determined by schools in which people are economically disadvantaged. It is my judgment, based on the small evidence that we have seen so far, the schoolwide programs are working. The chairman of the committee, the gentleman from Pennsylvania (Mr. GOODLING) has already cited two examples of that, both in Maryland and Texas, which really took Ed-Flex very seriously when we gave them that opportunity and came forward and they put together schoolwide programs. Others have done it too by going through the Secretary of Education, and they seem to have worked. Test scores have gone up. In a very data-based way, test scores have actually gone up in those schools which are doing it that way.

They are also becoming very popular with principals and teachers. According to the national assessment of Title I, the number of schools which are implementing schoolwide programs has more than tripled from 5,000 to 16,000 since 1995. Usually when programs grow, when there is a choice and programs grow, there is an indication that those who are dealing with the programs, the educators, are making a difference.

This does not dilute the amount of dollars that would go to a school, it is just a question of how the dollars are going to be utilized when they get to that school. I think that is important to understand as well in terms of dealing with the program of schoolwide versus the individual instruction, which has taken place before.

So for all of these reasons I am strongly supportive of keeping the poverty threshold at 40 percent which will, frankly, enable more schools, if they wish to operate schoolwide programs. It gives principals flexibility and it is, to me, proving to be beneficial. Those are the reasons that I stand forth and argue that we should do this. I would hope that we would all look at this, and I hope frankly this amendment will be defeated, but ultimately I think we all have the same aim and that is to

educate all of our children, particularly those in poverty as well as we possibly can.

I happen to think that leaving the level at 40 percent is the way to do that, and I hope that I am right, and I hope that we are able to defeat the amendment and eventually we will improve the course of our students.

I yield to the gentleman from Pennsylvania (Mr. GOODLING).

Mr. GOODLING. Mr. Chairman, I just want to indicate that teachers always came to me and said in social studies class, be sure to homogeneously group these kids. Can my colleagues imagine homogeneously grouping children in social studies. So those who never hear anything but nothing at home, if there is a dinner table, hear nothing in school, because they are all grouped together.

Children learn from other children probably more than they learn, as a matter of fact, from the teacher in that classroom. I certainly think that we should give something that is successful an opportunity to continue to succeed and save some of these children that we are losing everyday.

Mr. CASTLE. Mr. Chairman, reclaiming my time, I would just like to say, I do not like opposing an amendment sponsored by people who I think are genuinely interested in education and children. But I think in this case, the intent of what is in the legislation is right and is the direction to go.

Mr. OWENS. Mr. Chairman, I move to strike the requisite number of words. I would like to speak in support of the Payne amendment.

Mr. Chairman, we have heard a number of pedagogical considerations here which are interesting, but they avoid the real problem. The problem is money and the resources necessary to make a schoolwide program succeed. My colleagues are taking away some of the money. We move from 75 percent down to 50 percent, and now we want to move from 50 percent to 40 percent. So 75 percent to 40 percent is a radical move. My colleagues oppose going all the way down to 25 percent; that would be even more radical. But we have already made a radical move going from 75 percent to 40 percent, and my colleagues are jeopardizing the success that they claim that these schoolwide programs have achieved.

The program and the law was designed to reach the poorest children in America. The formula is driven by individual poverty; children who qualify for free lunches, that determines the amount of money one gets in a district. If one has a situation where one can play with the formula and take a school that only has 40 percent poverty and make it eligible, then one would be diluting what goes to the school that has the 75 percent poverty where we have already reduced the funding down, based on a 50 percent level of sharing.

The public concern for education is at an all-time high right now. Almost 90 percent of the voters have declared

that more government assistance for education is their highest priority. In response to this overwhelming concern for the improvement of education, Title I is presently our only really significant program. But instead of providing leadership to increase the funding of Title I and increase the scope of Title I so that we can get more children in, we are going to follow the leadership of the Republican majority; we are going to seize funds from the poorest youngsters and spread it out to the more fortunate ones in the other schools.

Why do we not have an increase of funding and let all of the new money be divided between these new schools that will be qualified under the 40 percent? Why do we not respond to the public concern that we need to do more for education, not less?

We are not going to do more by taking what we have already and spreading it out. Marie Antoinette said, if the people have no bread, let them eat cake. What we are saying is that the loaf of bread is too small, but instead of getting more bread, we want to divide the loaf up into crumbs and distribute the crumbs more widely. To distribute the crumbs more widely may get a lot of political pluses because one can go back and say to their constituents that they had no Title I funds before, but look now, we are doing something about education. We brought you some funds that you did not have before. But we took them from some other place. We took them from the poorest, and we spread it out. The original law was designed to help the poorest.

That, I do not think, is a way to proceed in response to the public cry for more help with education. That is Robin Hood in reverse. What we have been doing all along, and the pattern here in the Congress under the Republican leadership is to do just this, spread it out. Ed-Flex was a beginning, straight As is coming after this, either today or tomorrow. Straight As is all about wiping out any Federal control with the money after it goes down to the local level and that means you do not have to have 40 percent or 25 percent, but just spread it out.

I yield at this point to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Chairman, I want to support the Payne amendment and say that it has nothing to do with us not wanting all children to have an education, nor does it have anything to do with finding a way to have another model to be more effective. If we take a limited amount of resources and indeed dilute that, we really take the chances of effectiveness away from the program. So if we are trying to effectively educate those who need it the most, we would not dilute that, we would try to make sure that it was more pointedly directed to that.

Take eastern North Carolina, take school districts that I know that in-

deed many of the school districts, not just schools, school districts, have 40 percent poverty. So when we then shift that to the more affluent school districts in my State, we have really denied that district as a whole, not just the school, to have an opportunity.

So I want to support this amendment and tell my colleagues that we need to find a way not necessarily to defeat the issue of raising all kids up, but we do not do it at the expense of the poorest of the poor, and that is, indeed, what the effect of this would be, whether we intend that or not. We would end up making sure those who are failing will be sure to fail. Not that Title I is perfect. We need to improve it, but this is not the way to do it.

Mr. SOUDER. Mr. Chairman, I move to strike the requisite number of words. I apologize for my voice. I will do the best I can. I have been involved in this issue, and I want to participate in the debate today.

I would like to clarify a few statements that are going around and add some additional comments. One is this is not a spending bill, it is an authorizing bill. This is a bill that sets policy.

Secondly, inside that policy, we are not moving dollars between school districts. This is a question of how the school district moves the dollars within a school and who is included in a given program. It is not moving from low-income districts to high-income districts; this is not driving money to the State. This affects formulas and what percentage of the students are covered within this program inside a school and inside that district.

Thirdly, I am very concerned about bipartisanship. We have talked about trying to develop this as a bipartisan bill. I am one who is a believer that if the Federal Government is going to be involved in Federal aid to education, there is a legitimate need to come in and to help low-income families where they may not have the property tax structure, they may not have the income, and that was a legitimate role, even though the Constitution was silent on the Federal role in education, because that means by definition that it was intended to local and State. But when there has been a failure such as for special needs kids or for low-income kids, the Federal Government has stepped in. My goal is not to spread targeted Federal dollars to all students in America so that everybody gets attached to the Federal dollars.

But this was to be a bipartisan bill. We worked out a compromise. Some of us are starting to feel that the only thing that is bipartisan in this is we have to do it the other side's way, or we do not do it. I am fast moving towards a no on this bill when I have been a strong advocate of this bill all the way along. I, for one, do not believe that Title I has failed. I differ from many of my conservative friends. This is like Lou Holtz coming to the University of South Carolina and South Carolina not winning this year in football

and people saying well, that failed. It takes more than a football coach to change the football program in South Carolina and turn it into Notre Dame, not that Notre Dame is the best example this year. But when we look at this, it takes split ends, it takes quarterbacks, it takes halfbacks.

Title I going to low-income schools, they often do not have a lot of other resources. This is only part of the program that goes into these schools. We cannot expect Title I to solve every problem in low-income schools. What I see in Indiana is they are doing it very effectively in targeting for reading recovery. But this is a question about flexibility. It is not a question about moving among students. In this bill, we require that the students' performance has to move up if we go down to 40. We are caring here about individual students. Why do we feel in Washington that we have to tell each principal and superintendent and teacher that they have to do it a certain way. What we want to see is that the students' scores are improving.

I am sorry I did not get down here to debate on the Armev amendment. I do not understand why people do not want to give local schools and school boards more flexibility if we say you have to improve the students' scores. The argument here is not in my case against having the money go to those who need it most. I want to see it used most effectively, whether it is public school choice, private school choice, Title I inside the schools, reading recovery programs. We want to see that the kids who are left behind in our system, who often are not able to get the job, to get the opportunities that many of us who have been more fortunate have, we want to see the most flexibility and the best ways possible to do that, and I fear that this amendment will lead to further unraveling both of that local flexibility and of this bipartisan bill.

Mr. ENGEL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. Mr. Chairman, I just want to comment very briefly on the comments of the gentleman that just preceded me.

The chairman indicated that the 50 percent Title I has been working, the gentleman from Pennsylvania (Mr. GOODLING) and that when they moved down from 75 to 50 percent that we have seen success. Why not then leave it at the 50 percent?

□ 1245

Secondly, the gentleman said that we are not shifting money around; we are simply authorizing, we are an authorizing committee. He is portraying a point that those schools now that are eligible, that would be 40 percent, they are simply going to apply for the money and therefore the pot remaining the same will simply reduce the amount of money to the higher poverty schools.

It is just like having a pot for FEMA. We do not stop and say we only have a certain amount of money and all of the tragedies and natural disasters we have are limited. We come up to the amount.

We do not do that with education. I would just like to say that we are moving money by moving the formula because those now who qualify will take the money.

Mr. ENGEL. Mr. Chairman, I rise in support of the Payne amendment. In my previous life, I was a teacher and guidance counselor in the New York City public schools and I only taught in Title I schools so I think I have some familiarity with it.

Most of the schools in my congressional district qualify as Title I schools. I agree with my colleague from New York (Mr. OWENS), who said the real problem here is that we just need more money for Title I schools. We do need more money.

The other side can scoff all they want, but the fact of the matter is every child who is eligible should be getting help. If we are going to make the commitment, and this bill goes a long way in increasing funds but we still have a long, long way to go, it seems to me that what we ought to be doing is concentrating on those schools that have the greatest levels of poverty because those are the kids that are most disadvantaged. Those are the kids that really need the help. School-wide programs have usually been limited to higher poverty schools because the performance of all people, all students in that school, tends to be low.

This amendment calls for the 50 percent poverty threshold because a level of 50 percent poverty is where we begin to see an impact on the entire school. At poverty levels below 50 percent, the school poverty level has a much smaller impact on the achievement of the entire school population. So the Payne amendment would certainly prevent the undermining of Title I's targeting provisions and ensure that these programs are focused on higher poverty schools that need improvements on a school-wide level and the poorest schools are better equipped. It will ensure that the poorest schools are better equipped to deal with school-wide problems.

I also would be remiss if I did not mention that within the City of New York there is a very distinct problem. I represent Bronx County, and the way the funds are being allocated right now hurts students in Bronx County and Queens County and New York County within the City of New York. If we had more money, we could take care of those problems without impacting negatively on the other counties.

So it seems to me that the fight here should not be a fight about a pie and who should take away from other people; but the fact is that where there are poor schools those are the schools that ought to be adequately funded. It pains me a great deal that in Bronx County

we are being shortchanged with this Title I funding allocation, and again only in New York and Hawaii and parts of Virginia do we face this problem. It hurts Bronx County. It hurts Queens County. It hurts New York County; and if there were more money in this bill, we could take care of it. We could hold these districts harmless so that they could help the poorest kids and help the poorest schools.

So this goes a step in the right direction in terms of allocating more money, but in my estimation it does not do the job. If we are going to have a Federal commitment to education, and again the polls show that that is what people want across the country, a commitment to education, then we really need to put our money where our mouth is. If we are going to help children in the poorest areas, then we need to help those schools that are the poorest schools.

The bill goes in the wrong direction. The Payne amendment would right that wrong, and I wholly support it.

Mr. HOEKSTRA. Mr. Chairman, I move to strike the requisite number of words.

Mr. GOODLING. Mr. Chairman, will the gentleman yield?

Mr. HOEKSTRA. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Chairman, first of all, I want to make sure one more time, this program was designed with one thing in mind. That one thing in mind was students achieving below grade level. That is what it was designed for. That is in the legislation. It has always been there.

What I really get most upset about, and I should not get carried away, but when it is said all we need is more money, that is all I heard for 20 years: all we need is more money. It has been a block grant; that is what title I has been, a block grant to districts. As long as those who are achieving two levels below grade level are met, do with it what they want; and it has failed. We have failed those children over and over again because nobody went out to check and see whether there was any quality in the program, even though all the statistics showed that they were not increasing, they were not catching up to the children who are more advantaged.

The program was designed for children who are below grade level; and, again, let us try to make it a quality program. Let us not just say that somehow or another we can take a program that has not worked, if we give it more money it will work. If more children are covered with mediocrity, then more children are just being destroyed. We want to cover them with quality.

Mr. HOEKSTRA. Mr. Chairman, the amendment that is before us now mirrors much of what we are doing in the rest of H.R. 2. This really is the first time that a Republican Congress has a chance to make real changes to Federal education policy, to try to improve Title I so that disadvantaged

children do actually learn and succeed so that we can take those who are below grade level and move them up.

The focus does have to be on accountability and achievement. There are a number of improvements in this bill that move us in that direction, but there is also a movement that I am concerned about. We have so-called accountability, but the problem is that there is not flexibility. We tell States how to target their money, where to spend it. We tell States what information to report to parents and the public on their schools.

We tell States how to desegregate students based on race and gender, and we tell States what kind of qualifications teachers and para-professionals must have. The section of the bill that we are attempting to change here is one of those areas where we provide more flexibility for school-wide programs so that we can tailor those programs to most effectively meet the needs of the children in those schools.

The amendment that we have in front of us, again, takes us away from flexibility at a local level, takes us away from having the flexibility to design the programs for the needs of the children in those schools. Like other parts of the bill, it moves decision-making away from the State and the local level and moves it back into Washington.

This Congress has had a number of successes in moving decision-making to the local level. We passed Ed-flex. We passed the teacher empowerment. Tomorrow or later today we will have the opportunity to debate the program called Straight A's. All of those programs take us in a direction that says we know who we are focused on, and we are going to let the States and the local levels design and implement the programs most effective to meet the needs of those kids; very much based on the welfare reform model, where we recognize that States and local officials care more about the people that were on welfare than the bureaucrats in Washington; that they were most concerned about moving those people off of welfare and into dignity by providing them a good job.

We are going to see the same thing in education, that when we empower people at the local level to address the students with the greatest needs, we are going to see more success. We recognize that the 34 years and the \$120 billion of investment have not gotten us the kinds of results that we want. Parts of this bill move us in the right direction. Parts move us in the wrong direction, but this amendment should not be passed and we should stay with current law.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I recognize that there have been some enormously weighty arguments that have been made on this issue. They have probably been intertwined with equality and justice and

fairness, and I believe the gentleman from New Jersey (Mr. PAYNE) epitomizes in his legislative agenda, throughout the time that I have known him, to affirm all of those principles.

All of us who have fought for educational opportunity, the equalizing of the doors destined to carry our young people into the rewards of strong work ethic, the ability to provide for their families, we have all supported equalizing education. In fact, this body in its wisdom, way before I came to these honored halls, had the Civil Rights Act of 1964 and the Voting Rights Act of 1965 and translated the Brown versus Topeka decision argued by Thurgood Marshall into reality by opening the doors of education and providing opportunity for those who had been excluded.

I am somewhat taken aback that we now come to a place where every American is talking about education, but yet we have an underclass of sorts, individuals who have yet been able to get on the first rung of the ladder. Title I has proven to be the door opener in those hard-core pockets, where people are living at 50 percent of poverty threshold, barely making ends meet but every day getting up and washing and ironing that same piece of clothing for their child and getting them out that door so that they can sit in a seat of opportunity.

I go home to my district and I am always hearing, money is being wasted. It is being given to the go-along and get-along. It is being given to the people who really do not need it. Big tax shelters are being given to corporations, and though I believe in business opportunity and the idea of capitalism in this Nation but we get criticized for wasting money.

This amendment reinforces the fact, Mr. Taxpayer and Mrs. Taxpayer, that they can be assured that the money that we are putting out to educate children who otherwise would not have an opportunity to give those school districts the resources for computers, to give them special training, to provide that child who comes to school with no lunch and no breakfast opportunity at home, will be able to learn.

Is it not better to hand someone not a welfare check but rather hand them a salary check? For all of those who gathered around us to determine that we wanted to have welfare reform, what better tool, what better vehicle out of it? To undermine that threshold number says to me that my colleagues want to scatter the dollars to those who may not need it, and they want to take away the focus of the hard-core poverty.

Again, let me tell Mr. and Mrs. Taxpayer, I do not want them to get angry and say there we go again talking about the poor person; I need to make it because I am a middle-class working person. Yes, they are, and we appreciate it. What we are trying to do is to get the burden off their back by educating more of these children to ensure that they have the ability.

A pupil's poverty status is based on their eligibility for free or reduced-price lunch. The income thresholds for free or reduced-price lunch are substantially higher than the poverty level. For example, a child is eligible for reduced or free lunch if his or her family income is below 130 percent. Thus, in most cases the current school-wide program of eligibility threshold is actually 50 percent of pupils eligible for free or reduced-price lunch.

We are not throwing money away. What we are saying is that we are focusing the money so that it can be utilized properly.

Let me say that the fact that this has been taken out or put in a reduced amount is a travesty with taxpayers' money. It is a travesty on what we tried to do. It takes away the spirit of this Congress that tried to open the doors of education. Pell grants, GI loans, all of that had to do with us saying that these are deserving people. I bet we can look back now and find out the investment in the GI loans has paid three times; the investment in Pell grants, ten times; and I can assure them that their investment in Title I funds in districts around this country where people are yearning for an education but yet do not have the resources, the lunches, the computers and various other things, I can say, Mr. and Mrs. Taxpayer, that a better investment could not have been made.

I would hope my colleagues understand that we are not trying to throw away money and we are not trying to give away money.

□ 1300

I had to come here on the floor of the House as we were ending, because I am so passionately committed to the fact that the gentleman from New Jersey (Mr. PAYNE) is right. I want this amendment to be passed, and I want the defeaters of education and quality to be defeated.

Mr. SCHAFFER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it is no secret that I am not a fan or advocate of the underlying bill, but I still care deeply about the component parts of this legislation and this part being one of them, because I believe that this particular amendment makes a bad bill worse.

I voted for this amendment at one point in committee. I did so primarily because of some of the persuasive elements in the arguments that my colleagues have just heard. But after that vote, the committee adopted several others that I would consider responsible amendments that did a better job of providing more freedom and more liberty and the ability for local administrators to spend, in fact, more money on children in schools.

In fact, the administrators of many of these programs estimated that that one amendment that dealt with the rewards program freed up funding for an additional 123,000 children, disadvantaged children around the country.

So within the context of that effort to move toward greater academic freedom, greater managerial liberty by local administrators and officials, my position on this amendment has changed dramatically. It is for that reason that I, once again, as the subsequent vote took place in committee, urge that we stay at the 40 percent level threshold as the bill has before us today.

I say that for a couple of reasons, and I really would ask all Members to consider this. We are not talking about changing one bit the allocation of appropriations to a school. By moving the threshold, however, we are allowing more schools to be involved in schoolwide programs to reach those children who have been identified to have the legitimate and honest need for additional assistance when it comes to bringing those kids up to grade level.

The amendment that is being proposed is one that actually does, that actually constricts the ability of local administrators to get those dollars to kids who need it the most.

I submit that that is the wrong direction for us to move in. I understand the temptations for those of us in Washington to try to exercise our compassion and concern, which we all share, through additional mandates, additional constraints, additional regulations. It is the problem with the amendment. It is also the problem that occurs throughout much of the rest of the bill. But in this case, we ought to take the step, even though it is a 10 percent step in the direction of schoolwide programs, of more freedom and flexibility at the local level.

None of my colleagues here know the names of the kids in the school where my children are at school today. But their principal does. Their superintendent does. Their teachers certainly do. I submit that they ought to be given, even that 10 percent additional flexibility, to design a program that approximates the needs of those children in that school; and that we are out of line, frankly, here in Washington and under a false set of pretenses to believe that somehow our judgment is superior to theirs back home. That is what the underlying bill in this provision tries to achieve, a small 10 percent adjustment in the threshold that allows more flexibility.

The amendment before us tries to take that little bit of flexibility away and return this provision of the bill back to the more prescriptive, more regulatory, more confining posture of the current law. This is not what our administrators have asked us to do. This is not what governors around the country have asked us to accomplish. This is not what any State superintendent has asked us to achieve.

This is an amendment that is one that appeals to a very narrow set of individuals in schools, those who get to control this particular line item of the cash.

I think it is time for this Congress to put children ahead of those folks for a change. What a novel idea. We do not do it entirely. We do not do it to my satisfaction.

I am still probably going to vote no on the entire bill. But with respect to this amendment, the bill does achieve a 10 percent victory for those children who have an opportunity to be engaged in schoolwide programs, it is not much of a victory, but it is one that should not be obliterated with the amendment that is in front of us.

Therefore, I ask the committee to vote no on the amendment of the gentleman from New Jersey (Mr. PAYNE).

Mr. WATT of North Carolina. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will try to be brief because I know there are a number of amendments that need to be offered and very important amendments. But this one is critically important to me for several reasons.

First of all, before I came to Congress, before I even really followed politics closely, during the Ronald Reagan presidency, I followed from a distance the debate that was going on at the national level about the role that the Federal Government should play in education. That debate has been going on consistently for a good while.

During those years, we actually came to a resolution of what the Federal Government's role should be in education, identifying what national standards should be and trying to get kids who are performing below a national standard up to what we should expect as a Nation to be the minimum standard.

At that point, Republicans, as I recall, were consistently arguing that we should have a specific definition of what the Federal Government's role in education would be. Over time, actually the country came to such a consensus that the Federal Government's role should be carefully defined and the Federal Government dollars should be restricted to fulfilling that role.

One of those roles is to make sure that kids who are performing below the Federal level standard get brought up to that standard.

I do not think we can separate the debate on this amendment from that larger question about what the Federal Government's role in education should be. Because if we abandon the definition that we have given for the Federal Government's role and start to block grant money to the local governments to make their own dispositions, then the next step beyond that is to ask, well, what is the Federal Government's role again? Why should we be involved at all in education? Why would we be collecting money, bringing it to the Federal level, and sending it back to the State level without a definition of what our role at the Federal level is and without helping to fulfill the Federal objective?

I think that is really what this amendment is all about. We have de-

finied as a Federal role helping people who are underachieving. Poor people, poor kids are underachieving disproportionate to other children in the system. Therefore, we have elected under Title I and other similar programs to devote a disproportionate part of the Federal dollar to address that particular issue. To the extent that one steps away from that formula, then one is stepping away from the definition that we have given to the Federal role.

I think it is important to keep in mind what the Federal Government's role in education is that we have, through a process of debate and discussion over time, coalesced behind. This amendment furthers that purpose.

Now, I would not have supported cutting back from 75 to 50. I certainly would not support cutting back from 50 to 40. I guess the next step next week is going to be cutting from 40 to 0.

Then we are going to start another whole debate, I project; and that debate will be, well, okay, now we are using the Federal Government as a pass-through, so why should we have any role for the Federal Government at all?

I support the Federal Government's defined limited role in education and this amendment furthering that objective.

Mr. PETRI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. First of all, I want to again commend the leadership on this committee on both sides of the aisle for having worked so diligently and over so many months to bring H.R. 2 to the floor with bipartisan support.

I do regret the fact that, unlike some other of these negotiations that I have been involved in in other committees, that leadership, after having reached an agreement and worked out a bill that makes a number of improvements in the Title I program, is not willing on a bipartisan basis to defend the agreement on the floor of the House from amendments, whether they come from one party or the other.

Because the purpose of having negotiations and give-and-take and working out a good piece of legislation is then to stick by those agreements when we get to the floor and move the bill forward.

That having been said, I am proud that we are at this point here in the House of Representatives, with a good piece of legislation before us, authorizing more money for Title I.

We are on the verge of, in this Congress, appropriating some \$350 million above what the administration has requested for Federal aid to the school children of our country, because I think we have got our priorities right here in this Congress.

We have managed to appropriate, not just talk about, and not just authorize, but appropriate more money than ever before in the history of this Republic for Pell Grants to help the neediest of

our children to go to college and vocational school and get on the ladder of success here in our country, more money for special ed, and more flexibility for school districts to deal with disadvantaged kids with handicaps here in our country.

This legislation deserves bipartisan support, not tinkering from the fringes. So I hope the amendment is defeated and the bill is passed.

Mr. FATTAH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me first defend the negotiations that were commented on by the gentleman from Wisconsin (Mr. PETRI). The Democratic leadership on this committee had negotiated a bill, and they stood on the floor, and they said that they are going to support this bill. There was never any agreement that there would not be amendments offered. But they have said they are going to support this bill whether these amendments are passed or defeated.

Now, we heard from another gentleman who said he is opposed to the bill, and he is opposed to this amendment.

I want to rise in support of this amendment because it focuses dollars that the Congress has appropriated for disadvantaged children at schools in which at least 50 percent of the children are disadvantaged.

Now, it does not take a rocket scientist to figure out that, if we were appropriating money for all children, then we would not be keying on free and reduced lunch levels, there would not be a program for children who were disadvantaged.

It is because, in 49 out of our 50 States, disadvantaged children, that is poor children, are in schools in which their State governments have found a way to have less being spent on their education than children who are not disadvantaged; that is, they start out impoverished in school districts in which the financing systems end up giving them less per pupil than in the wealthiest districts in those States.

So, now, why should the Federal Government come along with money to help disadvantaged students and dissipate the effectiveness of those dollars?

This amendment would raise the level to 50 percent. It would say one has to have 50 percent of the kids in one's school in poverty in order to have these dollars be spent on a schoolwide effort. That is a reasonable position for the Democratic leadership on the Committee on Education and the Workforce to take.

It is also understood that there was a negotiation. We are prepared to stand by that negotiation. But it does not bind the floor. Members of this Congress should come and listen to the National Education Association, the Council of the Great City Schools. Listen clearly to the administration in its statement of administration policy that they would like to see these dol-

lars targeted if one wants to have the administration finally support this effort.

So we ask that the Congress consider the Payne amendment. We think it is a reasonable position. Those of us who support Title I and support this bill think that this would improve the bill.

We have those who do not support the bill, are not going to vote for the bill, who are saying that somehow they think that defeating the Payne amendment is the right way to go. Let us be on the side of those who support Title I and know that, even though it is a good bill, it can be improved by adding the amendment of the gentleman from New Jersey (Mr. PAYNE).

□ 1315

The CHAIRMAN pro tempore (Mr. THORNBERRY). The question is on the amendment offered by the gentleman from New Jersey (Mr. PAYNE).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Mr. PAYNE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 336, further proceedings on the amendment offered by the gentleman from New Jersey (Mr. PAYNE) will be postponed.

AMENDMENT NO. 48 OFFERED BY MR. SCHAFFER

Mr. SCHAFFER. Mr. Chairman, I offer amendment No. 48.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 48 offered by Mr. SCHAFFER:

Before section 111 of the bill, insert the following (and redesignate any subsequent sections accordingly):

SEC. 111. PUPIL SAFETY AND FAMILY SCHOOL CHOICE.

Subpart 1 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) is amended by inserting after section 1115A of such Act (20 U.S.C. 6316) the following:

"SEC. 1115B. PUPIL SAFETY AND FAMILY SCHOOL CHOICE.

"(a) IN GENERAL.—If a student is eligible to be served under section 1115(b), or attends a school eligible for a schoolwide program under section 1114, and—

"(1) becomes a victim of a violent criminal offense while in or on the grounds of a public elementary school or secondary school that the student attends and that receives assistance under this part, then the local educational agency shall allow such student to attend another public school or public charter school in the same State as the school where the criminal offense occurred, that is selected by the student's parent; or

"(2) the public school that the student attends and that receives assistance under this part has been designated as an unsafe public school, then the local educational agency may allow such student to attend another public school or public charter school in the same State as the school where the criminal offense occurred, that is selected by the student's parent.

"(b) STATE EDUCATIONAL AGENCY DETERMINATIONS.—

"(1) The State educational agency shall determine, based upon State law, what actions

constitute a violent criminal offense for purposes of this section.

"(2) The State educational agency shall determine which schools in the State are unsafe public schools.

"(3) The term 'unsafe public schools' means a public school that has serious crime, violence, illegal drug, and discipline problems, as indicated by conditions that may include high rates of—

(A) expulsions and suspensions of students from school;

(B) referrals of students to alternative schools for disciplinary reasons, to special programs or schools for delinquent youth, or to juvenile court;

(C) victimization of students or teachers by criminal acts, including robbery, assault and homicide;

(D) enrolled students who are under court supervision for past criminal behavior;

(E) possession, use, sale or distribution of illegal drugs;

(F) enrolled students who are attending school while under the influence of illegal drugs or alcohol;

(G) possession or use of guns or other weapons;

(H) participation in youth gangs; or

(I) crimes against property, such as theft or vandalism.

"(c) TRANSPORTATION COSTS.—The local educational agency that serves the public school in which the violent criminal offense occurred or that serves the designated unsafe public school may use funds provided under this part to provide transportation services or to pay the reasonable costs of transportation for the student to attend the school selected by the student's parent.

"(d) SPECIAL RULE.—Any school receiving assistance provided under this section shall comply with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and not discriminate on the basis of race, color, or national origin.

"(e) PART B OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—Nothing in this section shall be construed to affect the requirements of part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

"(f) MAXIMUM AMOUNT.—Notwithstanding any other provision of this section, the amount of assistance provided under this part for a student shall not exceed the per pupil expenditure for elementary or secondary education, as appropriate, by the local educational agency that serves the school—

(1) where the violent criminal offense occurred for the fiscal year preceding the fiscal year in which the offense occurred; or

(2) designated as an unsafe public school by the State educational agency for the fiscal year preceding the fiscal year for which the designation is made.

Mr. SCHAFFER. Mr. Chairman, I ask the House's favorable consideration of my amendment No. 48.

Mr. Chairman, the bill deals with allowing families school choice in those cases where children are eligible and defined under title I of the bill and find themselves in a school that has a prevalence of violence. The bill speaks to these children in two ways. Those individuals who are first themselves victims of violent activity and, second, those that are in schools that have been defined under the bill as being subject to or being in an environment that is unsafe.

Let me be specific about the terms of the bill. An unsafe public school means

a public school that has serious crime, violence, illegal drug and discipline problems, as indicated by conditions that may include high rates of expulsion and suspension of school students; referral of students to alternative schools for disciplinary reasons, to special programs for schools for delinquent youth into juvenile court; those where there is victimization of students or teachers by criminal acts, including robbery, assault, or homicide; enrolled students who are under court supervision for past criminal behavior, possession, use, sale or distribution of illegal drugs; enrolled students who are attending school while under the influence of illegal drugs or alcohol possession, or use of guns or other weapons; participation of youth in gangs; crimes against property, such as theft and vandalism.

It is virtually impossible, I would submit, at least according to most educators I have spoken with, to compete with these kind of unreasonable circumstances and environments in trying to deliver educational services to the children who need them most. It is the children who need them most who oftentimes find themselves in these exact kinds of settings and school conditions.

I realize there are many here who believe that school choice is a bad idea. I am not one of them. I think free and open market approaches to public schooling is, in fact, a good idea. But I think in this one example we ought to be able to find wide and common agreement that those children who are victims of violence and also find themselves in violent schools ought to be given the freedom to exercise school choice; to choose another setting that more approximately meets the needs of those children; that offers a better opportunity for children to learn in less threatening environments; that gives real hope for children that there are teachers and there are places where the only objective of their setting is to teach and it is to learn and it is to grow academically, not to constantly be looking over one's shoulder wondering whether they too might be the next victim.

This amendment is, I think, a very reasonable step in the right direction. It does address those schools that we all know to exist, where violence seems to be chronic and where children have a huge hurdle to clear with respect to education. This gives them a relief valve, an escape hatch, a way to find schools that teach, schools that work, and environments that are safe.

It is on that basis, Mr. Chairman, that I ask for the body's favorable consideration of amendment 48.

Mr. KILDEE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I believe this amendment is unnecessary and is presently covered under the current Title I statute. Because it appears that it does not expand current law, we will accept it on this side.

Mr. HOEKSTRA. Mr. Chairman, I rise in support of my colleague's amendment.

The opportunity to move students from a school where they have experienced crime or serious problems, I think, is a proper direction. Again, what we are doing is we are providing flexibility. In this case, we are empowering students, we are empowering parents, and we are empowering local school districts to make the appropriate decision for their children as to where they need to be educated. Again, this builds on the other programs that we have introduced and passed this year that are moving decision-making back to the local level, back to teachers, and back to States. This is really the appropriate place for those decisions to be made.

In this amendment we are empowering parents and we are empowering people at the local level to do the right thing to help their students. I encourage my colleagues to support this amendment.

Mr. GOODLING. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have a couple of questions for the author of the legislation. In the legislation at the present time, we allow parents to move children within a school district to another school, or a charter school in that district, if it is classified as a dysfunctional school or a nonachieving school.

As I understand the gentleman's amendment, he expands that to say that an individual can go across district lines to a public school or a charter school, and also if it is because of the problems that are in the school beyond academic problems. Do I understand that correctly?

Mr. SCHAFFER. Mr. Chairman, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from Colorado.

Mr. SCHAFFER. The gentleman is correct. The choice mechanism in the bill, as drafted, triggers the choice option only in those cases where schools are determined to be nonachieving schools, or failing schools. This amendment acknowledges that it is quite possible, in fact likely in many cases, that an achieving school, one that is succeeding, may also be a violent school on occasion.

So in those instances we give an additional trigger, I guess, in this bill, would be the appropriate way to say it, that allows parents whose children suffer from violence or in violent schools that do not meet the definition currently in the bill the option of choosing another academic setting in a public school or a public charter school.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Colorado (Mr. SCHAFFER).

The amendment was agreed to.

AMENDMENT NO. 43 OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I offer amendment No. 43.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 43 offered by Mr. ROEMER: In section 1002(a) of the Elementary and Secondary Education Act of 1965, as proposed to be amended by section 103 of the bill strike "\$8,350,000,000" and insert "\$9,850,000,000".

Mr. ROEMER. Mr. Chairman, I offer this bipartisan amendment to increase the money for the poorest and most at-risk children in America under Title I funding programs by \$1.5 billion. I offer this on behalf of myself, on behalf of the gentleman from New York (Mr. QUINN), a Republican; the gentlewoman from New York (Mrs. KELLY), a Republican; and the gentleman from North Carolina (Mr. ETHERIDGE), a Democrat.

Now my colleagues know, on both sides of the aisle, that I probably come down into the House well often to cut a program, to argue for a balanced budget, to encourage this body to have a provision in the legislative appropriations bill where we can return money out of our office accounts back to the treasury so that we reduce the debt; and I have been the coauthor of that bill for the last 8 years, but I do not come down into this well to throw money at problems. But today we have a bipartisan bill, a bill that is not the status quo, a bill that does not continue a program that has had some problems lifting many children that are 1 year or 2 years behind in reading and math and science back to the level they should be.

We have taken appropriate action in this Republican-Democratic bill to address those concerns. The very strength of that action, that bipartisan action, was to require tougher certification for the teachers, all teachers certified in those programs by 2003, and to require that para-professionals who are working in this program and being paid can no longer be simply working toward a high school degree or a GED. Now they need to be certified.

We provide an incentive program for those children and those schools that do better. We have an incentive program in here now to reward those good schools. We have tightened up the accountability in this bill. We have tightened up the standards in this bill. We have improved drastically, in a bipartisan way, the Title I program for the most at-risk, the poorest, and the most disadvantaged kids in America. Why can we not then put a little bit more money into this program to make sure those kids have the opportunity to learn? That is why I came to Congress, is to improve the education system in this country. That is what we are doing in this bill.

Now my colleagues might say, okay, how much money is it going to take? We currently have today, my colleagues, 4 million children in the Title I program that do not get a dime, they do not get a nickel, they do not get a penny. We do not help them. \$1.5 billion. Would it make a difference to

some of them? Yes. To all of them? According to the Congressional Research Service, they say it would take \$24 billion to fully fund Title I.

My amendment, my bipartisan amendment, would simply lift the funding from \$8.3 billion to \$9.8 billion, \$15 billion short of what it would take to fully fund this program for the poorest, most at-risk kids, who, if they drop out of school, are more likely to get involved in delinquency, are more likely maybe to fall into juvenile centers or to get into the incarceration system, and then we really pay a price. So I would encourage my colleagues to vote for this bipartisan increase.

And I just want to end on the fact that 196 years ago, in 1803, the Senate ratified the Louisiana Purchase Treaty on a vote of 24 to 7. We bought the western half of the Mississippi River Basin from France for less than 3 cents per acre. We expanded the size of the country and paved the way for western development. This is a better investment, in our children, in our future, in giving people a chance to succeed spiritually, emotionally and educationally. Let us give our kids a chance to get a good, decent education in America today. Vote for this bipartisan amendment.

Mr. GOODLING. Mr. Chairman, I move to strike the last word.

We have just heard the same chorus that we have heard for 20 or 30 years. If we just had more money, somehow or other the problems will go away. Even though the program is not a quality program, something good will happen. All we need to do is spend more money.

□ 1330

Well, it has not worked, and we have been spending more money and spending more money. Now we believe we have put together a piece of legislation that will work. And so, we are going to show to those appropriators, as a matter of fact, as this kicks in and becomes a reality, that it is beginning to work. And, therefore, I am sure they will be happy to pour in much more money.

But we have already, and we had an agreement, three leaders on their side agreed, we are appropriating \$7.7 billion. We moved it up to \$8.35 billion. That was a bipartisan agreement. I realize they are not worth much, I suppose. But, nevertheless, that was the bipartisan agreement. We had moved it up to \$8.35 billion.

First all, the 1997 study was a disaster. The 1998 study indicated that, somehow or other, we improved a little bit on NAPE scores for these youngsters, we got them back up to where they were 10 years before.

However, all that is under investigation now. Because it also appears that the way to do that is, as I told them in committee the way they did when I was to fire on the rifle range and because I was so cross-eyed I did not know which was my target and it messed us up and our platoon did not

do as well as the other platoons, so my sergeant said, well, we will just put somebody else's helmet on your head and that way our company will do well, and that sounds about like what we are trying to do here.

We have to prove now to the appropriators that we put together a piece of legislation that is, for the first time in the history of Title I, going to help improve the academic achievement of those most in need, those who are two grade levels below. Because that is what Title I is all about. And so, we have to prove that.

But already we have taken a gamble and said, we know it is going to succeed. Get it through the Senate. Get it down, and get it signed and we know it will succeed.

So we said, okay, not \$7.7 billion, \$8.35 billion, which, as I said, was negotiated, was agreed upon by several of the leaders on that side and our side.

So I would hope, again, that we first prove that we have finally made the changes in this legislation that will help the most disadvantaged youngsters in this country to receive a quality education so we can close the gap.

More money has never done it. Covering more children with mediocrity has never done it. Now, more money with excellence, that is a different story. But we are now in a position that we have to prove that. We have to prove what we put together collectively in a bipartisan fashion will, as a matter of fact, turn this whole situation around. So I would say we have already increased it.

Let us not hold out a lot of hope, and it is false hope of course, by simply raising an authorization level beyond what we have already done.

Mr. KIND. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise as a strong supporter of this very important amendment in this reauthorization process. I commend my friend, the gentleman from Indiana (Mr. ROEMER), and my good friend the gentleman from New York (Mr. QUINN) for offering this amendment.

Mr. Chairman, when I came to the United States Congress, I came from the fiscal tradition of Senator Bill Proxmire in Wisconsin. I am very proud of the fiscally responsible record that I have developed as a young Member of this body. I believe we can maintain fiscal discipline while making crucial investments for our future.

I do not often come to the House floor asking for an expansion of programs or more money for programs unless I feel in my heart that it is absolutely vital and necessary in order to accomplish the goals of those programs. This, Mr. Chairman, is one of those programs. An expansion of Title I funding, I believe, is just dealing with reality.

There are school districts all around the country, high-poverty school districts, that are in desperate need of basic supplies, more material, and

more resources. We have one example of the commitment that teachers are putting into their own profession and in their own schools from a news report that was released just a couple of weeks ago in the city of Waterbury, Connecticut, when teachers with their first two paychecks voluntarily took money out of their own pockets totaling \$303,000 dollars and donated it back to the school district in order to use it for more books and supplies and computers and other educational needs. And it was based on a matching fund agreement with the city and the school board.

This is just one example of many across the country of teachers who are willing to dip into their own pockets to buy supplies for the students that they are responsible for because policymakers are not doing the job, not giving them the tools to succeed with their students. That is a tragedy, especially when we are talking about a program such as Title I that is targeted to the highest at-risk students, who have the greatest need, and are the most disadvantaged students across the country.

This is comparable to the great epic struggle of the 20th century for Western Civilization, the Second World War, with Winston Churchill coming to the United States, which was an isolationist country at the time and a reluctant ally to get involved with the fight against Nazism and fascism. Churchill understood that and he went to F.D.R. and said, I understand the position you are in as a Nation, your reluctance to get involved in European entanglements. But if you give us the tools, we will finish the job. The United States did give England the tools through Lend-Lease and Churchill called that the most "unsordid act" of generosity.

That is a common refrain we are hearing from across the country from administrators and parents and teachers that if we policymakers can just give them the tools, they can finish the job. This is the next great challenge that we face as a Nation in the 21st century: to be able to provide quality educational opportunities for all our children regardless of where they live and the wealth of their communities.

Yes, we can demand greater accountability and even more flexibility at the local level. We did that earlier this year with the Ed-Flex legislation. But let us not delude ourselves into believing that this debate is not also about dollars and cents to the classroom. Adequate resources is a very important ingredient to doing the job that we would like to see local school districts be able to perform in enhancing student performance and giving all of our children the educational opportunities that they desperately need and deserve.

So I want to encourage the Members of this body, in the bipartisan spirit in which the amendment is offered, to support this amendment and improve on what is a good bill but what can be a better bill with the passage of the

\$1.5 billion increase in the authorization level.

This is just an authorization level. We still have to convince the appropriators that this is a level that needs to be fully funded. But I think it also sends not only a message to the appropriators but to the American people that the United States Congress is getting serious about establishing the priorities that are important to our country. Education is one such priority that should be at the top of the list when it comes to balancing the budget and allocating our limited resources for one of the most effective investments that we can make in our children.

Mr. QUINN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am not going to take all 5 minutes. I just want to rise in support of the work my good friend the gentleman from Indiana (Mr. ROEMER) has done and others have spoken to and want to say how pleased I am to offer this amendment.

I also want to mention the fact, as others have and will, that I am a firm believer that just throwing more money at many problems does not solve them.

I know the background of the gentleman from Pennsylvania (Chairman GOODLING) is in education. I happened to have been a middle school teacher for 10 years before I came to work here in the Congress and know that there are some problems we will never fix no matter how much money we throw at them or throw toward them or with them.

This is one, though, that works. This is one where I think we are appreciative of the work that the chairman and the ranking member of the full committee and the chairman and the ranking member also of the subcommittee. We appreciate that increase of 7.7 up to 8.3.

We are suggesting another modest increase that will not solve all the problems, will not be a panacea, and there will still be some problems. But I want to point out, Mr. Speaker, that there are some problems in this country in some schools where when and if we can get some additional funding it will make a difference.

I am convinced that this is one of those areas where that will work. I am convinced that when we approach this in a bipartisan way, we will have success. We are willing to work with the committee and the appropriators to make sure that that kind of money is made available.

I urge all of my colleagues to support the amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Chairman, I am very proud of this legislation that we have before us this afternoon on the floor of the House of

Representatives, and I think that the committee has done a magnificent task in changing the direction of the Title I program. I think that is why it took us so long to mark it up in committee. That is why we are spending a considerable amount of time on it here on the floor yesterday and today.

But the fact of the matter is, as the gentleman from Indiana (Mr. ROEMER) pointed out, we are changing the direction of this program; and as the gentleman from Pennsylvania (Mr. GOODLING) has pointed out a number of times, we are changing the direction of this program. We are taking a program that for all too long did not have much accountability in it, did not affix responsibility to parties, it really did not have standards of excellence in it. We are changing that now; and, in fact, we are redirecting this program on a course of excellence and accountability and performance.

The time has come where we can no longer, with the knowledge that we have of the number of children who are not able to participate, not provide the adequate funding so that those children can participate to the full extent of the advantages of this law. They must be included in this program. The Roemer amendment provides for that to happen. That is why we ought to support it.

One of the things when we look at schools that are reconstituted by local school boards, the governing bodies of local Government, when we look at schools where venture capitalists have come in, various firms have been formed now to take over some of these schools and run them on a private market model where they have turned them into charter schools, it is very interesting that in many of these schools that are poor performing and have a disproportionate number of disadvantaged children in these schools, the first thing they do is add money. The very first thing the private marketers do is they add money to these schools.

It runs about a half a million dollars a school. When they say, pay us, we will run their school, we will get the results for them, we will show them how the market system will work, the first thing they do is invest capital in those schools on behalf of those disadvantaged children.

Money does make a difference. It, in fact, does make a difference. And that is what private firm after private firm after private firm has been doing with these schools.

As everybody here has just claimed, that does not mean that throwing money at a problem will solve that problem. But here there are many problems that will not be fixed if we do not have money. And children who are not included in this program are not going to get the advantages of it.

I think we should take the pride of our workmanship here, we should take the understanding of the redirection that we have given to this program on a bipartisan basis, and we ought to

take the Roemer amendment and try to add to the funding for this program for excellence. We ought to add to this funding for the results that we expect and for the accountability that is in this program.

Because we are challenging the States, we are challenging the States on behalf of the Federal taxpayers to close the gap between rich and poor students, between majority and minority students. We are challenging the States to provide qualified teachers in every classroom within 4 years. With those kinds of changes in this program, we have the opportunity to deliver a program of excellence at the local level on behalf of these students.

As the gentleman from Indiana (Mr. ROEMER) has pointed out, we cannot continue to allow the tremendous number of students who are not included in this program, who do not get served in this country because we are losing those children and their opportunity to participate in our economy, to participate in our society to the fullest extent of their potential.

Because that is the tragedy, the downside of not properly funding this program. That is why this amendment is well placed, it is well directed, and I think we ought to recognize that that amendment is a complement to the work that this committee has done and the faith we have in these very, very difficult changes, very tough changes that we have made in this program at the urging of the chairman of the committee, the ranking member, and the two subcommittee chairmen and ranking members of this committee.

I urge passage of the Roemer amendment.

Mr. HOEKSTRA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I urge my colleagues to vote no on this amendment.

The interesting thing about this process has been it has been a bipartisan effort. My understanding is that the bipartisan bill that was negotiated in good faith included an increase in the authorization level from \$7.7 billion a year to \$8.35 billion.

I believe, as my chairman said earlier in the debate on this, we are finding that bipartisan agreements do not necessarily mean a whole lot anymore. What we are now finding is that, in this bill, we are moving from the current authorization from \$7.7 billion in its proposal to move up to \$9.85 billion.

This is a 36-percent increase in funding for a bill that my colleagues on the committee have said all of the reports would indicate that we are not doing very well with this program.

Today, 34 years later since the inception of Title I, we still see a huge gap in the achievement levels between students from poor families and students from non-poor families.

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I do not want new money for Title I until we fix it. I am not sure there ever

was a time when Title I was unbroken, but it certainly is broken now.

So before we take a look at whether the changes that are in this bill which move more accountability and more control to Washington, before we take a look at whether what I believe is a misdirected step actually will improve the education of our most neediest children, this amendment says, "Let's throw 36 percent more money at the problem before we realize whether the changes that we have proposed will actually make a difference or not."

I do not think that is necessarily a good step to take. I do not think it is a wise step to take. I urge my colleagues to oppose this amendment.

Ms. WOOLSEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it sounds like we are being criticized because we would throw money at our schools, and our accusers might be right. We do want to throw money at our public schools, and we know that by putting more money into our public schools, we would solve many problems.

Think about it. We do not hesitate to throw money at the Department of Defense. We throw plenty of money to build roads and bridges. But when it comes to our schools and to our children, somehow it is rude to talk about spending money. Somehow all of our schools, regardless of where they are, are expected to give all of our students a first-class education on a second-rate budget. Mr. Chairman, it will not happen if we continue to do this.

If this country, led by this Congress, does not begin to invest in our children and do it now, it will not matter how many fancy new weapons our defense funds buy, because there will not be enough soldiers with the education to use those weapons. And there may not be any new weapons at all because who is going to be educated enough to build and design these weapons? Who will be mixing the materials and operating the machinery to build all those new roads and bridges? Have my colleagues seen how high tech the equipment is these days?

Mr. Chairman, I am going to be voting for the gentleman from Indiana's amendment to increase funding for Title I. \$24 billion is barely what we need. That is what the Congressional Research Service says that we would need to fully fund Title I. Let us get with it, let us support our children, and let us increase the funding for Title I.

Mrs. KELLY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today to support the Roemer-Quinn-Kelly amendment to H.R. 2, the Student Results Act. I commend the Members of the Committee on Education and the Workforce under the leadership of the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from Missouri (Mr. CLAY) for bringing this bipartisan legislation before us today. Under the language of

H.R. 2, Title I has been authorized at a level of \$8.35 billion. Our amendment would increase this authorization by \$1.5 billion, to bring it to a total of \$9.85 billion for the fiscal years 2000 through 2005.

The Student Results Act will hold our educational system to a higher set of standards. It requires the States and the school districts to issue report cards on student achievement to the parents and the community. It also recognizes that there is an active achievement gap, and demands that the State and local education agencies establish a plan to close this gap.

H.R. 2 provides choice and flexibility and rewards while demanding accountability, quality and results. The bill before us today continues to provide flexibility for our State and local education agencies which we have already established earlier this year in the Ed-Flex bill and the Teacher Empowerment Act. The Title I program is the largest Federal commitment to elementary and secondary education in the reauthorization before Congress this year. Passage of our amendment will provide additional funds to help States, school districts and schools make the changes necessary to raise student achievement across the board.

As a former public school teacher and the mother of four, I support public schools. And I know that few things are more important to the future success of our children and our Nation than education. I urge my colleagues to support this amendment as well as the underlying bill. In doing so, we will demonstrate our real commitment to Title I programs and to improving the educational system in this Nation.

Mr. ETHERIDGE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I, like my other colleagues, rise to support the Roemer-Quinn-Kelly-Etheridge amendment to increase Title I funding to \$9.85 billion. I will be very brief. I will not use all my time. The reason I will not is because this ought to happen and we ought not even to be debating it.

This will provide additional funding for more students. Over a third of the students are not now allowed to be involved in this program because there is not enough funding and the funding level is too low to provide for the curriculum enrichment that many of these children need, for the staff development that needs to be done, and the accountability in this bill in my opinion is what we ought to be about. And the report card is certainly needed. It is what we have done in North Carolina now for almost 10 years.

It has made a difference in our State and it will make a difference in this Nation. It ought not be a debatable issue. It ought to be something we are moving on and doing.

Finally, Mr. Chairman, let me say that approximately 99 percent of this money, of Title I money, goes to that local school. My colleagues on the left

over here, as they refer to themselves on the right, are always talking about how much goes to the classroom. Ninety-nine percent of this money goes directly to the local school unit, for those children that so badly need it, that have the greatest need. If we are going to improve education in America, we are going to improve it for all children and every classroom in every corner of this country. Let us pass this amendment.

Mr. DAVIS of Florida. Mr. Chairman, I move to strike the requisite number of words.

I rise in strong support of the Roemer-Kelly-Quinn amendment and want to make two points: The first is the reason I support this amendment, I think one of our highest priorities ought to be providing the tools to our teachers and principals in our most struggling schools to help their students survive. The second point I want to make pertains to a question that was asked which was, do we really know what works, are we really willing to make that investment?

Let me offer to my colleagues as an example the State of Florida. In the State of Florida, we are having a terribly hardy debate right now about vouchers. I personally do not support vouchers. But when you look past all the speeches that are being made, what Democrats and Republicans, what virtually all lawmakers agree upon, is that we know what works to help our most struggling students succeed. It is smaller class size, it is giving after-school and before-school programs, it is providing tutor support, exactly the ingredients to success contained in this amendment. We know it works. We do not need to wait. We need to do it. I urge strong support of the Roemer amendment.

Mr. CASTLE. Mr. Chairman, I move to strike the requisite number of words.

I will be brief, Mr. Chairman. Most of these points have been made. Title I, I think, is very, very important. And I think covering as many children as we can within some degree of reason is very, very important. We are making significant changes in this legislation, most of which, if not all of which, I happen to believe are positive and I think things that we should do.

One of the key things that was worked out, and it has already been stressed by the gentleman from Pennsylvania, but was worked out with the key Members from the other side, the gentleman from Missouri (Mr. CLAY), the gentleman from California (Mr. GEORGE MILLER), the gentleman from Michigan (Mr. KILDEE), the ranking members over there, was the increase which is included here, and I stress that that is an increase which is included here, the good faith increases to \$8.35 billion from \$7.7 billion. I am doing this math in my head, so hopefully it is correct. But I think that is about a 9 percent increase in the authorization. That is a 1-year increase in authorization.

In this amendment, we are dealing with an increase which is about a 25 percent increase, and I am not sure that they could even put that into place, much less be able to sustain it. But from an economic point of view, there are many things we have to do in education. We have to deal with IDEA, we have to deal with all the other programs involved in the ESEA, and there are many other things we have to do in general. I just do not think this is a responsible step.

I think it is disappointing that we have not taken the stand of the bipartisan leadership of this community on that and endorsed the new and higher figure which they recommended. Hopefully we can defeat this amendment and go ahead and pass the bill and there will be an increase and we will be able to help those kids who are disadvantaged more than we do now.

Mr. GREEN of Texas. Mr. Chairman, I move to strike the requisite number of words.

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Chairman, I will be as brief as possible because I know I have colleagues who have amendments. I rise in support of the Roemer-Kelly-Quinn amendment and talk about that it is just \$1.5 billion in authorization. The biggest battle always is in the Committee on Appropriations that is done every year here. But this lets us at least go to the Committee on Appropriations because we have to authorize before we can appropriate.

This year we have seen that what has happened with the Committee on Appropriations, literally the Labor-HHS appropriations bill is the last one that comes up on the floor of the House, it is a second thought to everything else we do and it really should be the first thought. Education is expensive. It is expensive for teachers, expensive for administrators, for parents, but mostly it is expensive for the community. That is why this authorization, even though it is a partial loaf, is so important.

If my colleagues think education is expensive, they ought to see how expensive ignorance is, because we see what is happening, whether it be the businesses in my district along the Houston ship channel trying to hire students or like my colleague from California said earlier, young people who graduate from high school to join our military, we need to make sure they are qualified and they are ready to go into business and industry or else to serve their country.

Again, this is just a partial success, but we have thousands of students all over the country who are not served by Title I and this authorization increase would be a great first step.

Mr. CROWLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I, too, wanted to rise on this amendment, the Roemer-Quinn-

Kelly-Etheridge amendment, et al. Increasing Title I by \$1.5 billion will go a long way. It will not go far enough as far as I am concerned where in New York City only one-third of the eligible students for Title I actually receive Title I funding. There is more we have to do to help education in this country. We have to build more classrooms, lower class size, get more funding from the Federal Government for school construction and modernization. But I think even more importantly, we have to make sure there is money there in this budget for all children who are entitled to Title I education program funding.

The CHAIRMAN pro tempore (Mr. LATHAM). The question is on the amendment offered by the gentleman from Indiana (Mr. ROEMER).

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

Mr. GOODLING. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 336, further proceedings on the amendment offered by the gentleman from Indiana (Mr. ROEMER) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT NO. 9 OFFERED BY MR. ANDREWS

Mr. ANDREWS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. ANDREWS: At the end of section 1114 of the the Elementary and Secondary Education Act of 1965, as proposed to be amended by section 108 of the bill, add the following:

“(e) PREKINDERGARTEN PROGRAM.—

“(1) IN GENERAL.—A school that is eligible for a schoolwide program under this section may use funds made available under this title to establish or enhance prekindergarten programs in accordance with paragraph (2).

“(2) CONTENTS.—Before a school uses funds made available under this title to establish or enhance prekindergarten programs it shall consider the following:

“(A) The need to establish or expand a pre-kindergarten program.

“(B) Hiring individuals to work with children in the prekindergarten program who are teachers or child development specialists certified by the State.

“(C) The ratio of teacher or child development specialist to children not exceeding 10-1.

“(D) Developing a sliding fee schedule to ensure that the parents of a child who attends a prekindergarten program established under this section share in the cost of providing the prekindergarten program, with the amount of such contribution not to exceed \$50 each week that a child attends such program.

“(E) That none of the funds received under this title may be used for the construction or renovation of existing or new facilities (except for minor remodeling needed to accomplish the purposes of this subsection).

“(F) Using a collaborative process with organizations and members of the community that have an interest and experience in early

childhood development and education to establish prekindergarten programs.

“(G) Coordinating with and expanding, but not duplicating or supplanting, early childhood programs that exist in the community.

“(H) Providing scientifically based research on early childhood education services that focus on language, literacy, and reading development.

“(I) How the program will meet the diverse needs of children aged 0-5 in the community, including children who have special needs.

“(J) Employing methods that ensure a smooth transition for participating students from early childhood education to kindergarten and early elementary education.

“(K) The results the programs are intended to achieve, and what tools to use to measure the progress in attaining those results.

“(L) Providing, either directly or through private contributions, non-Federal matching funds equal to not less than 50 percent of the amount of the funds used under this title for the prekindergarten programs, with such contributions including in kind contributions and parental co-payments.

“(M) Developing a plan to operate the program without using funds made available under this title.

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Chairman, I first want to thank the gentleman from Wisconsin (Mr. PETRI) for his indulgence. I would be open to the gentleman from Pennsylvania's suggestion of a second-degree amendment. The purpose of this amendment is to make it clear that under whole school reform, pre-K programs may be offered on a whole school basis for children.

AMENDMENT OFFERED BY MR. GOODLING TO AMENDMENT NO. 9 OFFERED BY MR. ANDREWS

Mr. GOODLING. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. GOODLING to amendment No. 9 offered by Mr. ANDREWS:

Strike line 1 on page 1 and all that follows through line 20 on page 3 of the amendment (subsection (e) that is proposed to be added by the amendment at the end of section 1114 of the Elementary and Secondary Education Act of 1965) and insert the following:

“(e) PREKINDERGARTEN PROGRAM.—A school that is eligible for a schoolwide program under this section may use funds made available under this title to establish or enhance prekindergarten programs for 3, 4, and 5-year old children, such as Even Start programs.”.

Mr. GOODLING (during the reading). Mr. Chairman, I ask unanimous consent that the amendment to the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Chairman, in its present form, the Andrews amendment lays the groundwork for expanding pre-kindergarten programs by developing a specific set of criteria that schools must consider when using Title I money for pre-K programs under schoolwide reform.

My second-degree amendment maintains the language that allows schools to use funds under the schoolwide program to establish or enhance pre-kindergarten programs but strikes the

specific set of criteria. In other words, my amendment explicitly says that schools can use Title I money to establish or enhance prekindergarten programs for 3-, 4- and 5-year-old children, including such programs as Even Start.

In doing so, it provides schools with the necessary flexibility that is needed to run a schoolwide program without dictating a series of additional requirements. I understand that the gentleman from New Jersey is supportive of this change and I appreciate his work on the issue.

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Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from New Jersey.

Mr. ANDREWS. I appreciate the gentleman from Pennsylvania's bipartisan cooperation. I believe this is a good step forward. I would yield back to the gentleman and thank him for his help.

The CHAIRMAN pro tempore (Mr. LATHAM). The question is on the amendment offered by the gentleman from Pennsylvania (Mr. GOODLING) to the amendment offered by the gentleman from New Jersey (Mr. ANDREWS).

The amendment to the amendment was agreed to.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS), as amended.

The amendment, as amended, was agreed to.

AMENDMENT NO. 42 OFFERED BY MR. PETRI

Mr. PETRI. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 42 offered by Mr. PETRI:

After section 1128 of the Elementary and Secondary Education Act of 1965, as proposed to be added by section 126 of the bill, insert the following:

SEC. 127. ESTABLISHMENT OF PILOT CHILD CENTERED PROGRAMS.

Part A of title I is amended by adding at the end the following:

"Subpart 3—Pilot Child Centered Program

"SEC. 1131. DEFINITIONS.

"In this subpart:

"(1) **ELIGIBLE CHILD.**—The term 'eligible child' means a child who—

"(A) is an eligible child under this part; and

"(B) the State or participating local educational agency elects to serve under this subpart.

"(2) **PARTICIPATING LOCAL EDUCATIONAL AGENCY.**—The term 'participating local educational agency' means a local educational agency that elects under section 1132 to carry out a child centered program under this subpart.

"(3) **SCHOOL.**—The term 'school' means an institutional day or residential school that provides elementary or secondary education, as determined under State law, except that such term does not include any school that provides education beyond grade 12.

"(4) **EDUCATION SERVICES.**—The term 'education services' means services intended—

"(A) to meet the individual educational needs of eligible children; and

"(B) to enable eligible children to meet challenging State curriculum, content, and student performance standards.

"(5) **TUTORIAL ASSISTANCE PROVIDERS.**—The term 'tutorial assistance provider' means a public or private entity that—

"(A) has a record of effectiveness in providing tutorial assistance to school children; or

"(B) uses instructional practices based on scientific research.

"SEC. 1132. CHILD CENTERED PROGRAM FUNDING.

"(a) **FUNDING.**—

"(1) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary shall grant to the first 10 States that meet the requirements of paragraph (2) the authority to use funds made available under subparts 1 and 2, to carry out a child centered program under this subpart on a Statewide basis or to allow local educational agencies in such State to elect to carry out such a program on a districtwide basis.

"(2) **REQUIREMENTS.**—To be eligible to participate in a program under this subpart, a State shall provide to the Secretary a request to carry out a child centered program and certification of approval for such participation from the State legislature and Governor.

"(b) **PARTICIPATING LOCAL EDUCATIONAL AGENCY ELECTION.**—If a State does not carry out a child centered program under this subpart, but allows local educational agencies in the State to carry out child centered programs under this subpart, the Secretary shall provide the funds that a participating local educational agency is eligible to receive under subparts 1 and 2 directly to the local educational agency to enable the local educational agency to carry out the child centered program.

"SEC. 1133. CHILD CENTERED PROGRAM REQUIREMENTS.

"(a) **USES.**—Under a child centered program—

"(1) the State or participating local educational agency shall establish a per pupil amount based on the number of eligible children in the State or the school district served by the participating local educational agency; and

"(2) the State or participating local educational agency may vary the per pupil amount to take into account factors that may include—

"(A) variations in the cost of providing education services in different parts of the State or the school district served by the participating local educational agency;

"(B) the cost of providing services to pupils with different educational needs; or

"(C) the desirability of placing priority on selected grades; and

"(3) the State or the participating local educational agency shall make available a certificate for the per pupil amount determined under paragraphs (1) and (2) to the parent or legal guardian of each eligible child, which certificate shall be used for education services for the eligible child that are—

"(A) subject to subparagraph (B), provided by the child's school, directly or through a contract for the provision of supplemental education services with any governmental or nongovernmental agency, school, postsecondary educational institution, or other entity, including a private organization or business; or

"(B) if requested by the parent or legal guardian of an eligible child, purchased from a tutorial assistance provider, or another public or private school, selected by the parent or guardian.

"SEC. 1134. LIMITATION ON CONDITIONS; PRE-EMPTION.

Nothing in this subpart shall be construed to preempt any provision of a State constitution or State statute that pertains to the expenditure of State funds in or by religious institutions."

Mr. PETRI. Mr. Chairman, this amendment establishes a pilot program that allows up to 10 States or school districts with the approval of their respective State legislatures and governors to convert Title I into a portable benefit, one that follows the child to the education service chosen by his or her parents. The amendment gives interested States wide latitude to vary the amount of the benefit according to factors such as differences in cost of services in different areas of the State, differences in educational needs of students, or a desire to place priority on selected grades.

The amendment also provides wide latitude in the types of educational services which may be covered. This amendment does not require States to provide benefits to all poor students regardless of educational need, as some have indicated. States are explicitly allowed to target the funds as they wish. Therefore, this provision will not necessarily dilute the assistance provided to current Title I recipients. In fact, Mr. Chairman, States can increase targeting to those students with the greatest educational need if they so wish.

Similarly, the amendment need not threaten school-wide programs. For example, States could provide that any child attending a school with a school-wide program must use his or her Title I benefit to pay for that program. If the State also provides public school choice, it would then get some highly useful market-based feedback on the perceived value of those school-wide programs.

The child-centered benefit might be more difficult in the current program to administer, but I prefer to let the States and school districts decide whether the benefit of this approach exceeds any such costs.

The basic philosophy of this amendment is that if something is broken we should allow people to try to fix it. I am not sure if there ever really was a time when Title I was unbroken, but it is certainly broken now. There are some places where it works, including some in my own district, but on the whole studies show that the \$120 billion we have spent on this program over the years has failed the children that it was supposed to help.

It is time to let the States try something different, and it is especially appealing to allow experimentation when we have so little clues when it is so unlikely that we will do worse than the current program.

And what is the heart of the experiment allowed by this amendment? It gives power to parents. If education bureaucracies have not helped their children, why not give some decision-making power to parents? To those who

argue poor parents cannot make good decisions, I reply that that represents the kind of bureaucratic paternalism that has failed practically everywhere it has been applied. To those who argue that the likely per-child benefit on the order of some \$650 is not a lot, well I reply that it is something, and something is better than nothing.

It will offer some choices and give parents some power and the responsibility to play some direct role in the education of their children. The money could pay for supplementary services from a variety of sources including a child's own public school. It could even be used by a private school student to pay for an exemplary after-school or Saturday morning program at a public school. We should never assume that the public schools could not compete for these dollars. But if some parents decided that the best option for their children was to apply their \$650 toward private school tuition rather than supplementary services of any kind and that \$650 made the difference in enabling them to afford the tuition, I believe we owe it to their children to allow them to make that choice.

Some decades ago, Mr. Chairman, many folks used the slogan: Power to the People. Of course, they really meant power to themselves claiming to represent the people. This amendment provides real power to the people and one of the strongest kind, purchasing power. In every other case where individual consumers make decisions, we get better and cheaper goods and services. Why not try that in compensatory education?

Remember, this is a pilot program. We are trying a different approach. If it does not work, we can return to the drawing board and consider other options; but if it does work, Mr. Chairman, if it does make a difference to our educationally disadvantaged students, then it means that today with this bill in this 106th Congress we will have significantly affected the future of America and of her children. What have we got to lose?

I urge all my colleagues to support this amendment.

Mr. KILDEE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Wisconsin.

Mr. Chairman, for similar reasons on the Arney amendment I rise to oppose my good friend from Wisconsin's (Mr. PETRI) amendment. We have already voted on the issue of private school vouchers both in committee and earlier today on the floor; and in both times, Mr. Chairman, the amendments were defeated overwhelmingly.

The Petri amendment would allow Title I funds to be diverted from the poor public schools to be used for private school vouchers in 10 States. We all know that vouchers do raise the usual constitutional issues, and others argue also that they could jeopardize the independence of our private schools and certainly undermine the administration of the Title I program; and

also, when we look at the real amount authorized in this amendment for vouchers, it certainly would be too small for poor families who actually send their children to private schools where the tuition is usually quite high.

I think rather than diverting funds to private schools, we should be investing additional resources to public schools where over 90 percent of America's children learn every day. We defeated by a very sound margin earlier today the Arney amendment, and as my colleagues defeated that amendment, I would urge my colleagues to defeat the Petri amendment.

Mr. SOUDER. Mr. Chairman, I move to strike the last word.

(Mr. SOUDER asked and was given permission to revise and extend his remarks.)

Mr. SOUDER. Mr. Chairman, I rise in strong support of the amendment offered by my friend, the gentleman from Wisconsin (Mr. PETRI), and it has been a privilege to work with him in committee and here on the floor.

I support this amendment because I believe our Nation's students will immeasurably be benefited when Federal money begins to follow the child. This is a proposal that has been floated for a number of years by Checker Finn and others. It has been supported by the Heritage Foundation and is hardly a strange concept. We have a similar approach in college funding called Pell grants named after former Senator Claiborne Pell, a Democrat. Out of deference to my friend from Michigan, I guess we will not call these Kildee grants, but it is not a new concept that we would have the money follow the student and follow the child. We have done this in college education for years and have not disrupted public educational colleges, and it has strengthened in fact the choices that parents have.

This amendment simply allows 10 States to experiment with a new pilot program. One would think that we were trying to gut the schools rather than saying if the legislature and the governor decide in a few pilot States that they want to experiment that they should be allowed to do so.

I believe in choice. I believe in public school choice. I believe in private school choice, and one of the most astounding things that is happening in America is watching in the urban centers in particular the rapid growth of African American and other minority school choice programs run by locals who are concerned that their kids are not getting the education. It is not sufficient to say that the dollars that go to Title I to the student is not enough to cover the tuition.

The fact is in Cleveland, when the court just threw out their private school support program, the parents worked together to come up with that money because they are very concerned about the quality of education for their students. The Catholic church for years has subsidized members of their parish

who cannot afford it. We see that in Golden Rule in Indiana with Pat Rooney. He has put together scholarship funds. We see Ted Forstman and others do this. The demand is far exceeding. There are supplemental ways to get the income in. Some sacrifice for the parents. They are voting with their feet, and not every school costs like St. Albans, where our vice president may send his children or like the private schools in Washington where Members of Congress may send their children or the private schools around the country where the affluent send their children. There are many lower cost private schools where people, apparently the only people who can have those choices are middle-class and upper-class parents, not the lower-income people who need the desperate education.

Furthermore, let me make clear that it is not a matter of just this sudden abandonment of the public schools. We are not going to wipe out our Federal education programs for the public schools because even if we maximized private school choice, for multiple reasons it would probably never hit in this country. If we had a pure voucher system, more than 20 percent.

I went to public schools; my kids are in public schools. Most people are not going to abandon their local school. It is close, they know the teachers, they are invested in it. But denying those who have the most at stake who most need the best education possible the possibility of even having a pilot program that would have to clear State legislature and a governor and give them an opportunity that if they can find a place where they can take this voucher or at least have the leverage to go to the school and say, I might take my child out if you do not respond to some of my concerns, to deprive the powerless of any power over their school systems, they often have very little control over the school boards already. They are ignored by the principals; they are ignored by the teachers. At least if they could take their money like a middle-class or an upper-class family and say, I might leave, perhaps they would be listened to.

Why would we take the most powerless in this society and say, everybody but you gets a choice, but not you.

Mr. Chairman, I include the following for the RECORD:

[From the Public Interest, Fall, 1998]

THOMAS B. FORDHAM FOUNDATION
WASHINGTON VERSUS SCHOOL REFORM
(By Chester E. Finn, Jr., and Michael J. Petrilli)

[Note: This is the original manuscript and has been heavily edited by the Public Interest.]

"Promiscuous" is an overused word in Washington these days, but it aptly describes the trend in federal education policy—both at 1600 Pennsylvania Avenue and on Capital Hill. The 1990's have seen the wanton transformation of innumerable notions, fads and impulses into new government programs and proposals for many more such. Since inauguration day, 1993, the Clinton administration alone has embraced dozens of novel education schemes, including subsidies for state

academic standards, tax credits for school construction, paying for teachers to be appraised by a national standards board, hiring 100,000 new teachers to shrink class size, ensuring "equity" in textbooks, collecting gender-sensitive data on the pay of high school coaches, boosting the self-esteem of rural students, establishing a Native Hawaiian education Council, connecting every classroom to the Internet, developing before-and after-school programs, forging mentoring relationships between college students and middle schoolers, increasing the number of school drug-prevention counselors, requiring school uniforms, and fostering character education. "Superintendent Clinton" has also supported the Family Involvement Partnership, the America Reads partnership, Lighthouse Partnerships (for teacher training), HOPE Scholarships, Presidential Honors Scholarships, Americorps, Voluntary National Tests, Education Opportunity Zones, and Comprehensive School Reform Grants. And that's just a selection from the brimming smorgasbord.

But Mr. Clinton is not alone. Nor is policy promiscuity indulged in only by lusty Democrats. Roving-eyed Republicans in Congress have proposed, inter alia, slashing class size, ending social promotion, legalizing school prayer, replacing textbooks with laptops, funding environmental education, paying for school metal detectors, and creating a new literacy program.

As education has ascended the list of policy issues that trouble voters, politicians of every stripe have predictably lunged for it. This has led Washington officials to shoulder problems and embrace initiatives that once were deemed the proper province of states and communities (or individual schools and families). The federal education policy arena has come to resemble a vast flea market, where practically any program idea can be put on display and offered for purchase without regard to its soundness or effectiveness. As at a flea market, there's plenty of old stuff hanging around, too. Once created, education programs seldom disappear, no matter how poorly they accomplish their stated purposes and no matter what harm they may do along the way.

It's not that their authorizers and appropriators are ignorant. The major programs have been evaluated time and again. Countless studies have shown that most of them, for all their laudable ambitions and fine-sounding titles, do little or no good. What then accounts for this risky—even reckless—behavior? Why can't federal officials keep their wallets zipped? Today's promiscuous approach has four main origins:

(1) The clamor for someone to do something. Education is clearly a problem. Solving that problem ranks high with voters and taxpayers. The simplest way to give at least the appearance of action is to propose another program or three. Of course, this impulse isn't confined to Washington. Many governors, legislators, mayors and aldermen have spent their way into citizens' hearts with pricey education programs. As the 1998 election draws closer, reports the Washington Post, local, state, and national candidates of both parties are stumbling over one another with promises to shrink third grade classes, build new classrooms, launch after-school programs, etc.

(2) Devotion to focus group fancies and pollsters' pointers. The public is vague about how it wants education to change, and rather naive about the sources of its problems. The easiest, surest way to appeal to voters is to offer to do something with instant, intuitive appeal, like shrinking classes or refurbishing buildings, even if that something won't actually solve any real problems. One thereby avoids being labeled "anti-education" be-

cause one wants to overhaul or—quel horreur—scrap some dysfunctional program or disrupt an established interest. Democrats have long tended to solve education problems by hurling new programs at them. When Republicans briefly and clumsily tried a surgical approach in 1995, they wounded themselves (for seeking to trim the school lunch program and scrap the federal education department, etc.) They, too, have mostly retreated from the operating room to the program delivery room. Even when they propose a radical innovation, such as Paul Coverdell's education savings account (which would lightly subsidize private school attendance), they no longer offer it instead of an obsolete program; it is nearly always an addition to the federal nursery.

(3) Gridlock over the tough ideas that might actually effect change. One serious reform strategy focuses on standards and accountability, the other on school choice and diversification. It's not hard to design a shrewd blend, combining national standards with radical decentralization and merging tough accountability measures with school choice. But politicians with an eye on their "base"—or an upcoming primary—won't yield an inch on their pet schemes and aversions. Unable to reach agreement on genuine reforms, they reach instead for crowd-pleasers.

(4) The marginal nature of the federal role in education. Washington furnishes just seven percent of the K-12 education budget. Federal officials know very well that nothing they do will have great impact. Since they're not ultimately responsible for what happens in the schools, heedlessness comes easy to them. They rarely behave quite so immaturely in policy areas where Uncle Sam plays the lead role, such as national defense, Social Security and international trade.

HOW WE GOT HERE

Because the Constitution assigns Washington no responsibility whatsoever for education, the federal role is guided by no general principles. It just grew. This property never had a master plan, an architectural design or even a central structure, just a series of random sheds, annexes and outbuildings. Though some early construction can be found as far back as the Northwest Ordinance of 1787 and the creation of land-grant colleges in 1862, the federal role in education is essentially a late Twentieth century design. Indeed, save for vocational education, the G.I. bill, the post-Sputnik "national defense education act," and, of course, the judiciary's deep involvement in school desegregation, the federal role as we know it is a creation of the mid-sixties, of Lyndon Johnson's Great Society.

The major legislation of the day included Head Start (1964), the Elementary and Secondary Education Act (1965), the Higher Education Act (1965), the Bilingual Education Act (1968), and, soon after, the Education for All Handicapped Children Act (1975). All these programs sought to expand access to education for needy or impoverished segments of the population—and to disguise general aid to schools as help for the disadvantaged. The dozens of programs created by these five statutes (and their subsequent reauthorizations) script the federal role in education today.

That role will soon be up for review. The 106th Congress will reauthorize the centerpiece Elementary and Secondary Education Act (E.S.E.A.) and its \$11 billion worth of programs, accounting for fully a third of the Education Department's budget. Out of 69 K-12 programs currently administered by that agency, 47 are authorized by E.S.E.A. Title I, the largest of them at nearly \$8 billion, is included, as are bilingual education, safe and

drug free schools, the Eisenhower professional development program, and scores more.

These programs mostly began under Lyndon Johnson (and up now no Republican Congress has had a crack at them), but their support has been bipartisan. Richard Nixon presided over a significant expansion of aid to college students. Gerald Ford signed the burdensome "special education" bill into law.

The Reagan and Bush administrations proposed to return control to states and localities. They found early success—federal K-12 education spending declined 21 percent in real terms between 1980 and 1985. But funding for these programs then skyrocketed 28 percent from 1985 to 1992, and another 14 percent during Clinton's first term. Their complexity grew, too. The 1994 version of the Elementary and Secondary Education Act—passed just a few weeks before the GOP won control of Congress—sprawled over 1000 pages. Today, the federal government currently spends \$100 billion per year on over 700 education programs spanning 39 agencies. The Department of Education manages roughly one-third of this money and employs close to 5000 people.

CHANGING PROBLEMS, UNCHANGING PROGRAMS

The underlying assumptions of the federal role in education have not changed since LBJ occupied the Oval Office. Increasing access to more and more services—rather than boosting achievement and productivity—is the primary mission. States and localities are assumed to be unjust, stingy, and stubborn. Top-down regulations and financial incentives are assumed to be the surest ways to induce change. And Uncle Sam's primary clients are assumed to be school systems, not states and municipalities, and certainly not children and families.

It's remarkable how stable these assumptions have been despite thirty-plus years of failure. America's schools remain perilously weak. Whether one looks at worldwide math and science results, comparisons of "value added" over time, or other indices of achievement, they simply don't measure up—except in spending, where U.S. outlays per pupil are among the planet's loftiest. Domestically, our National assessment results are mediocre-to-dismal, and the achievement (and school completion) levels for minority youngsters and inner-city residents are catastrophic. In Ohio, for example, the school districts of Cleveland, Youngstown, and Dayton are all posting drop-out rates of greater than 40 percent. Nationally, a staggering 77 percent of fourth-graders from high-poverty urban schools cannot read at a basic level. The achievement gap between the rich and poor and between whites and minorities has not closed; it may even be growing. After three decades, billions of dollars, and thousands of pages of statutes and regulations, we have astonishingly little to show for the effort.

One might think policy makers would take notice. One might suppose they would demand a fundamental overhaul, a thorough hosing-out of this Augcan stable of feckless programs and greedy interest groups. But one would be wrong. In a spectacular example of throwing good money after bad and refusing to learn from either experience or research, the scores of program proposals made within the past few years simply extend—indeed deepen—the familiar trend.

The recent proposals and new programs don't sound exactly like the old ones. Although the basic approach is the same, the language has been updated. Today's programs are generally mooted in phrases that focus groups favor, such as "comprehensive services," "mentoring" and "literacy."

Most of them fall under three headings: "partnerships" that mask government activism under complex organizational links; the extension of services into new domains; and the adoption by Uncle Sam of duties and responsibilities that were once the province of states and communities.

"PARTNERSHIPS"

"Partnership," the pollsters assure us, is a "warm" term that focus groups adore. Upon examination, though, most "partnerships" turn out resemble what used to be called "bureaucracies." Consider the "Lighthouse Partnerships" for teacher training, proposed by the Clinton administration and supported by several Republicans (and soon to be enacted). Washington's dollars would allow "model" colleges of education to "partner" with weaker ones. They would also "partner" with state education agencies, local school districts, and non-profit organizations. All these new partners would supposedly work together to improve teacher training.

Nobody can quite explain why federal funding is necessary for them to cooperate. They are all supposed to be improving teacher training in the first place. Nor is it clear that anything real will result from their newly-subsidized bonding. Will teachers be tested on more difficult material? Will schools of education be held accountable for producing teachers who know their stuff? Will students learn more? No one can be sure, since the stated mission of the program is simply to encourage institutions to hook up with one another. What is certain is that teacher training colleges and other pillars of the education establishment will reap added financial benefits. The traditional monopoly will be strengthened and the teacher quality problem, far from being solved, will likely be exacerbated.

COLONIZING NEW TERRITORY

The President recently trotted out a proposal to support "community learning centers" that tutor students and provide them with a safe place to go after school. It's hard to fault the impulse (though like most "compensatory" efforts it may let the original malefactors off the hook—why is it that most public schools close by 3 p.m.?). But is there a compelling reason for the federal government to fund them? And won't Uncle Sam's embrace prove to be a chokehold?

If there is any sure lesson from these years of experience, it is that regulatory entanglements follow federal funding. New programs bring unaccustomed mandates, fresh conditions and additional rules. We'll wake up one day to learn that the new after-school centers must be accredited, or staffed by certified teachers (or unionized teachers); they can be sponsored only by secular organizations; their buildings must be built or rehabbed by workers paid the "prevailing" union wage; they will have to teach diversity and conflict resolution, saving the environment, or esteem-building via "cooperative learning."

Are there compelling benefits that outweigh these costs? Perhaps some esoteric expertise that the federal government is privy to when it comes to after-school tutoring? We have not spotted it. The only real asset Washington has to offer to education is money. But at present the states have more of that than they really need. Their combined surplus was estimated by the National Conference of State Legislatures at \$28.3 billion for FY 1997. With so many dollars floating around, why burden worthy programs with Washington-style red tape? States, philanthropies, and local communities could easily create after-school havens for kids and recruit tutors for those who need help. Why must the Department of Education grow a

"bureau of community learning centers" to manage this process?

MINDING OTHER PEOPLE'S BUSINESS

Far from being stodgy, recalcitrant and ignorant, the states today are bubbling labs of education reform and innovation. Information about promising programs gets around the country in a flash. A few years ago no states produced school-by-school "report cards"; now at least a dozen do. Five years ago, only eight states had charter school laws. Today, 33 have enacted them. This copycat behavior can be seen even at the municipal level. Chicago's successful accountability plan—ending social promotion and requiring summer school for those who failed—is being mimicked by dozens of communities, just as Chicago's dramatic new school governance scheme (with the mayor in charge) is being adapted for use in other communities. Yet the tendency in Washington is still to nationalize problems and programs that states and communities are capable of tackling.

When, for example, did class size become a federal issue? It's states and communities that hire and pay teachers. It's states and communities that make the trade-offs, deciding, for example, whether they would prefer a large number of inexperienced, low-cost teachers or a smaller number of pricey veterans. Long before Mr. Clinton (and, for the Republicans, Congressman Bill Paxon) decided that smaller classes are better, several states were headed this way on their own. And while the idea is undeniably popular with parents, state class-size reduction initiatives have shown that its efficacy is unsure and its unintended consequences numerous. Pete Wilson's class size reduction plan for California, for example, prompted a mass exodus of experienced teachers from inner-city schools to posh suburbs, leaving disadvantaged kids with even less qualified teachers than before. Teacher shortages are now rampant and thousands of people have received "emergency waivers." Instead of remedying the real teacher crisis—the lack of deeply knowledgeable instructors—it has made the situation worse.

Research on class size is also inconclusive. Most studies show no systematic link between smaller classes and higher achieving pupils. The versions that seem to yield the greatest gains are those that slash class size below fifteen kids. Such an expensive proposition must be weighed against the opportunity costs of other programs, strategies, or initiatives that could be funded. Some communities might decide the price is worth it, while others would rather use their incremental dollars in different ways.

But Mr. Clinton's across-the-nation plan does not allow for such delicate and decentralized decision-making. While the President often uses words like "autonomy" and "accountability," his proposal would micro-manage school staffing and budget priorities from Washington.

Once upon a time, Uncle Sam provided some real leadership in educational innovation. Now that the states are taking charge, the feds appear disoriented, playing "me too." And not just with respect to class size. From ending social promotion, to adopting school uniforms, to implementing accountability systems, Washington now reverberates with echoes of state and local initiatives.

A CHANCE TO REPENT

A rare opportunity is at hand for a top-to-bottom overhaul. The public seems readier for fundamental reforms in education than ever before—and indeed is getting a taste of them at the grassroots level. There we can glimpse higher standards, tougher accountability systems, brand-new institutional

forms and profound power shifts. Surveys make it plain that voters, taxpayers and parents are hungry for charter schools, for ending social promotion, for tougher discipline, for more attention to basic skills, and for school choice. Privately-funded voucher programs are booming, with hundreds of millions of philanthropic dollars now being lavished on them and thousands of children in queues for lotteries to participate. Two cities have publicly-funded voucher programs, and more soon will. Charter schools are spreading like kudzu. And opinion leaders from newspaper columnists to business leaders to college presidents—are signaling their own readiness to try something very different.

Into this shifting landscape will soon drop the periodic reauthorization of the Elementary and Secondary Education Act. The federal role in education could be almost entirely reshaped via this one piece of legislation. But will it be?

Plenty of political obstacles block the path to a true overhaul. Three decades of doing things one way creates huge inertia, and every program, indeed every line in this endless statute, now serves an entrenched interest or embedded assumption. Still, that was also true of welfare a few years back, and Washington was able to muster the will and imagination to change it anyway—once policymakers understood that the old arrangement had failed and allowed themselves to visualize a different design.

What would a different approach to the federal role in K-12 education look like? We see three basic strategies.

BLOCK GRANTS

Instead of myriad categorical programs, each with its own regulations and incentives to prod or tempt sluggish states and cities into doing right by children, what about trusting the states (or localities) with the money? do federal officials really know better than governors and mayors what the top education reform priorities of Utica or Houston or Baltimore should be? The block grant strategy rests on the belief that, while states and communities may crave financial help from Washington to solve their education problems, they don't need to be told what to do.

Block grants can be fashioned without cutting aid dollars at all. (Indeed, by reducing the overhead and transaction costs of dozens of separate, fussy programs, they should enable more of the available resources to go to direct services to children.) Rather, they amalgamate the funding of several programs and hand it to states (or communities) in lump sums that can be spent on a wide range of locally-determined needs. In so doing, they dissolve meddlesome categorical programs in pools of money.

Block grants also rid the nation of harmful programs, which get dissolved in the same pools. Do federal taxpayers really need to be funding the development of TV shows for kids? How about the sustenance of "model" gender-equity programs? Are "regional education laboratories" still needed to disseminate reform ideas in the age of the Internet?

Block grants come in every imaginable size and shape. If all the programs in E.S.E.A. were combined into a single one, at 1999 appropriation levels the average state would receive \$220 million per annum to use as it saw fit. Earlier this year, the Senate passed a somewhat smaller block grant designed by Washington's Slade Gorton, which assembled some 21 categorical programs into a block grant totaling \$10.3 billion. (Facing a Clinton veto threat, it was later deleted by Senate-House conferees.)

Block grants respect the Tenth Amendment and—in our view properly—leave states

in the driver's seat. They allow Uncle Sam to add fuel to the gas tank but they hand the keys to the governors. In the process, federal bureaucracy is slashed—along with the state and local bureaucracies that currently service the torrent of federal regulations (and are paid for with overhead siphoned from federal grants before any services are provided to children).

VOUCHERS

While block grants hand money and power back to the states, vouchers empower families directly. Instead of writing fifty checks, Washington would send millions of them straight to needy children and their parents, thus helping them meet their education needs as they see fit. Vouchers shift power from producers to consumers.

This is already standard practice in federal higher education policy, where an historic choice was made in 1972; students rather than colleges became the main recipients of federal aid. A low-income college student establishes his own eligibility for a Pell Grant (or Stafford Loan, etc.), and then carries it with him to the college of his choice. That might mean Stanford or Michigan State, Assumption College or the Acme Truck Driving School. The institution only gets its hands on the cash if it succeeds in attracting and retaining that student.

The same thing could be done with federal programs meant to aid needy elementary and secondary students. The big Title I program, for example, spends almost \$8 billion annually to provide "compensatory" education to some 6.5 million low-income youngsters. That's about \$1250 apiece. What if the money went straight to those families to purchase their compensatory education wherever they like: from their public or private school, to be sure, but also from a commercial tutoring service, a software company, a summer program, an after-school or weekend program, or the local public library? Title I would turn into millions of mini-scholarship, like little Pell grants. A similar approach could be taken to any program where individual students' eligibility is based on specific conditions: limited English proficiency, disability, etc.

The argument for vouchers is that a program designed to help people in need should channel the resources directly to them, not to institutions, intermediaries or experts. Giving families cash empowers them while also building incentives for providers to develop appealing, effective programs. Furthermore, they make disadvantaged children financially attractive to schools and other service providers.

The question most often asked about vouchers is whether families can be trusted to do right by their own children. We think the answer is yes about 99 times out of a hundred and experience with publicly- and privately-funded voucher plans all over the country seems to confirm that intuition.

How about the administrative headache of linking the federal government directly to millions of families? Such huge direct-grant programs as social security and veterans' benefits show that this can be done. But it's still an invitation to bureaucracy and confusion.

There are alternatives to direct relationships between Uncle Sam and millions of children and families, however. A hybrid strategy of vouchers and block grants, for example, would turn the money over to states for them to hand out in the form of vouchers. Or the whole process could be outsourced to private financial services managers (much like the new welfare services providers).

BUST THE TRUSTS

While the first two strategies loosen Uncle Sam's grip and shift power and decisions

away from Washington, the third demands vigorous federal action. It calls for Big Government to tackle Big Education. Think of it as trust-busting.

Even if all federal programs were block granted, or voucherized, after all, the present power structure would still be in charge. School administrators, teachers' unions, colleges of education and similar groups have erected a fortress that devolution may slightly weaken but will not vanquish. Lisa Graham Keegan, Arizona's crusading Superintendent of Public Instruction, understands this well. By pressing for charter schools, for school choice, for capital dollars "strapped to the back" of individual children, and for tough statewide standards, she has started to break the iron establishment grip that has long been obscured by the beguiling phrase "local control." As David Brooks recently wrote, Keegan recognizes that "If you really want to dismantle the welfare state, you need a period of activist government; you need to centralize authority in order to bust entrenched interests."

Though the agencies sometimes overstep their bounds, few question the role of the Justice Department and Federal Trade Commission in combating monopoly and collusion in the private sector. Education is currently the largest protected monopoly in our country; a tough federal agency that presses for true competition might work wonders.

What education "trusts" need busting? Our three leading candidates are:

(1) The information monopoly. Education consumers in most of the U.S. lack ready access to reliable, intelligible information about student, teacher, and school performance. By manipulating the information, the establishment hides the seriousness of the problem. While most Americans know the education system is troubled, they also believe that their local school serves its students well. This is the misinformation machine at work. There's need for the education equivalent of an independent audit—and it's a legitimate role for the federal government, albeit one that many Republicans in Congress have so far been loath to permit.

(2) The teacher training monopoly. Due to state licensure rules, virtually all public school teachers must march through colleges of education en route to the classroom. As indicated by Massachusetts' recent teacher-testing debacle (over 60% of those taking the Commonwealth's new certification test flunked), those campuses aren't even teaching the rudiments. Institutions other than traditional ed schools should be allowed to prepare future teachers. Knowledgeable individuals should be allowed to bypass formal teacher training altogether. And nobody who has not mastered his/her subject matter should enter the classroom at all. Federal programs—including grants and loans to college students—could wield considerable leverage in this area.

(3) Exclusive franchises. Local public school monopolies need competitors. Entities besides local school boards and state bureaucracies should be allowed to create and run schools. Private and nonprofit managers should be encouraged to do so. Any school that is open to the public, paid for by the public and accountable to public authorities for its performance should be deemed a "public school"—and eligible for all forms of federal aid. Vigorous trust-busting undeniably smacks of Big Government. It's as much a Washington-knows-best strategy as was the Great Society. But it directs that strategy against the genuine problems of 1998 rather than the vestigial problems of 1965.

WHAT TO DO?

These approaches to the reconstitution of federal education policy are not mutually

exclusive. All three would shift power away from vested interests. All three would profoundly alter the patterns established over the past third of a century. In reconstructing the federal role, especially its centerpiece Elementary and Secondary Education Act, through these means—and deciding which current programs warrant what treatment—we would be guided by a trio of principles:

(1) First, do no harm. This is part of the Hippocratic oath, familiar to budding doctors but a solemn pledge that policymakers should make, too. Federal programs should not impede promising state and local initiatives or contravene family priorities.

(2) Consumer sovereignty. Federal aid should actually serve the needs of its putative beneficiaries—primarily children and families—rather than the interests of the education system qua system.

(3) Quality, not quantity. America has largely licked the challenge of supplying enough education. Today's great problem is that what's being supplied isn't good enough. The mid-sixties preoccupation with "more" needs to be replaced by a fixation on "better."

Applying those principles to E.S.E.A. via the three strategies outlined above, here are some specifics:

Block grant. Most of today's categorical programs—and all of the pork barrel programs—should be amalgamated into flexible block grants that are entrusted to states—not to the "state education agency" but to the governor and legislature. Most of E.S.E.A.'s 47 programs would benefit from this fate. Into the mix go myriad teacher-training programs, including the \$800 million Eisenhower Professional Development Program. Also the Safe and Drug Free Schools Program, which has yet to yield safe or drug free schools. Impact aid, school reform grants, technology money, facilities funds, arts education programs, and many another vestige of some lawmaker's urge to play school board president should be thrown in. So should the regional labs, the gender-equity programs, federally-funded TV shows, and the like. Interest groups will object because they crave (and have grown dependent on) the categorical aid. Also protesting will be the (literally) thousands of state education department employees whose salaries are paid by Washington. But block grants will largely remove Uncle Sam's hands from the education cookie jar. States can use the funds for their own reform plans. The strings should be very few—possibly a requirement that the money be spent on direct services, perhaps a priority for low-income kids, maybe a commitment from the states to publish their scores on the National Assessment of Educational Progress—and states should have the right to convert their block grants into vouchers if they wish. The total value of the most obvious candidates for block-granting is (at 1998 spending levels) about \$3 billion, or \$60 million per state. Throwing in a few other categorical programs that would benefit from this treatment (such as the "Goals 2000" program, the school-to-work program, and vocational education) would boost the total to roughly \$5 billion, or \$100 million per state.

Voucherize. Take the three big programs aimed at helping needy individuals—Title I for the poor, special education for the disabled, and bilingual education for those who don't yet speak English well—and hand that money directly to the putative beneficiaries. Take the annual appropriations for each program and divide by the number of students eligible for aid. Using 1998 numbers, this would mean youngsters eligible for Title I would each receive a \$1250 annual stipend. Those who cannot yet speak English would receive a \$130 voucher. Special education

students would receive aid in relation to the severity of their disability, with amounts ranging from \$200 to \$1200 in federal money. A family whose child is poor, disabled and does not yet speak English would receive a check in the \$1600 to \$2600 range, all within current budget levels. Such a system would certainly empower consumers, slash federal red tape, and create a world of new educational services and providers vying for the attention of disadvantaged students.

Bust the trusts. To crush the information monopoly, Congress should renew the National Assessment of Educational Progress (which also expires the next year) on a more independent basis—and authorize its governing board to make those standards-based tests available to communities, schools, even individual parents. This would replace the politically-stalemate “voluntary national test” that Mr. Clinton proposed with a more flexible instrument that enjoys greater insulation from politicians, bureaucrats and special interests.

To tackle the teacher training monopoly, Washington should fund alternatives to ed schools. Think of them as “charter schools” for future teachers. Uncle Sam can also make shoddy schools of education accountable by holding their federal aid hostage to graduates’ meeting minimal standards of knowledge and skill.

To end the exclusive franchise of local school districts and state bureaucracies, the federal government should vigorously support the development of thousands of charter schools and other supply-side innovations (like contract schools, alternative schools, etc.). These schools should only be supported, though, if they are held to high standards and operate independently from school districts and state regulations.

Finally, to tilt federal incentives in the direction of quality, Washington should insist that all students seeking federal college grants and loans first pass a rigorous high school exit exam. Students will not get serious about academics until there are palpable consequences linked to academic standards—an obvious point that has been hammered home by (among others) the perceptive columnist Robert Samuelson and the late teacher union chief, Albert Shanker. (This will also serve to hold voucher schools to high academic standards—as their business will dissipate if their graduates cannot matriculate to college.)

Could trust-busting activities get out of hand? Yes, indeed. Perhaps these functions should be overseen by an outfit one step removed from direct political influence, much like the National Assessment Governing Board. Maybe governors should be empowered to excuse their states from these initiatives, if they attest that the cause of education reform would be advanced by immunity from all Federal meddling. But we suspect that most governors would quietly welcome as much help as they can get in combating the education establishment.

THE NEXT WELFARE REFORM?

The Elementary and Secondary Education Act will likely be signed into law just before the presidential election in 2000. The legislative process is cranking up with field hearings and advisory panels already being convened by the Clinton administration. If 33 years of history is any guide, the likeliest outcome will be minor tweaking of extant programs. They may not work—they may even do harm—but they have great momentum and plenty of vested interests, and the few members of Congress who really understand them tend to favor the status quo. Certainly the administration will do nothing to rile its friends in the school establishment. So there will be plenty of proposals to tinker

and fine tune. A few decrepit programs may even vanish, to be replaced by new fads and pet schemes. The bad habits of a third of a century will go unconquered and the Johnson-era conception of the federal role in education will endure for another five or six years.

But there could be an altogether different ending to the tale, a transformation of the federal education bazaar from flea-market to a consumer-focused department store. While promiscuity may well continue elsewhere inside the Beltway, it plainly isn’t good for schools or children. When it comes to education, Federal officials should pledge themselves to temperance, prudence and clean living.

[From the Wall Street Journal, January 20, 1999]

THOMAS B. FORDHAM FOUNDATION
CLINTON’S SCHOOL PLAN IS A GOOD START.
LET’S GO FURTHER
(By Diane Ravitch)

Every opinion poll shows that education is now the public’s top domestic priority. Every poll also shows that the public wants schools to have higher academic standards and to be safe and orderly places. So it was not surprising that President Clinton would stress education in his State of the Union address last night.

The president wants to set federal guidelines for teacher training, student discipline, school performance and promotion policy. School districts that violate the new federal guidelines would risk losing their federal funding. Federal aid to the schools—about \$20 billion—is considerably less than 10% of what Americans spend for public education, but no district is going to risk losing even that fraction of its budget.

The White House has raided the right issues, and it is about time. In the 34 years since Congress passed the Elementary and Secondary Education Act, federal money has been spread to as many districts as possible with scant regard for whether its beneficiaries—especially poor kids—were actually learning anything. For too many years, federal aid to the schools has been both burdensome and ineffective. Now the president wants to establish quality standards to accompany the federal aid.

This proposal makes some important points: Schools should never have started promoting kids who have not mastered the work of their grade; they should have effective disciplinary codes; they should never hire teachers who don’t know their subject; and they should issue informative school report cards to parents and the public.

And yet experience suggests that when the education lobbyists begin to influence any future legislation, we can expect more regulation and more bureaucrats, and precious few real standards. This is why Mr. Clinton must link his proposals to deregulation, thus liberating schools from redundant administrators, onerous regulations and excessive costs, most of which are imposed by current federal education programs.

The best way to do this would be to turn the key federal program for poor kids—Title I—into a portable entitlement, so that the money follows the child, like a college scholarship. Presently, federal money goes to the school district, where bureaucrats watch it, dispense it and find manifold ways to multiply their tasks and add to their staffs. As a portable entitlement, Title I’s \$8 billion would allow poor children to attend the school of their choice instead of being stuck in low-performing schools. It would be a powerful stimulus for school choice. At the very least, states should be given waivers to direct federal money to the child, not the district.

There are additional steps that Mr. Clinton should take now to enhance incentives for student performance in current federal programs:

Renew a campaign to authorize national tests in fourth-grade reading and eighth-grade mathematics. President Clinton proposed this last year, but it has languished because of opposition from conservative Republicans and liberal Democrats. If he can’t resuscitate that proposal, then he should ask Congress to allow individual districts and schools to administer the excellent subject-matter tests devised by the National Assessment of Educational Progress (which only statewide samples of students can take now). As the excitement over a new fourth-grade reading test demonstrated last week in New York state, nothing concentrates the mind of students, parents and teachers like a test.

Adopt, by executive order, a terrific idea floated by columnist Robert Samuelson: Require any student who wants a federal scholarship for college to pass a 12th-grade test of reading, writing and mathematics. Half of all college students get some form of federal aid. This should not be an entitlement. If students must pass a moderately rigorous examination to get their college aid, there would be a dramatic and instantaneous boost in incentives to study hard in high school and junior high school.

Adopt, by executive order, real educational standards for Head Start and set better qualifications for Head Start teachers. This preschool program was supposed to give poor children a chance to catch up with their better-off peers, but it has turned into a big day-care program with no real educational focus for the kids who need literacy and numeracy the most.

Require that those who teach in federally funded programs have a degree in an academic subject and pass a test of subject-matter knowledge and teaching competence. This should apply to all teachers, not just the newly hired.

Mr. Clinton has described some important changes for American education. Whether or not Congress endorses his plan, he has pointed the national discussion about education in the right direction, toward standards and accountability. If we can add to that a strong dose of deregulation, choice and competition, we will be on the road to educational renewal.

Mr. GOODLING. Mr. Chairman, I move to strike the requisite number of words, and I do this only because I am afraid time will run out and I will not be able to thank the people who worked day and night for 6 or 8 months.

I discovered one thing in 4 days of markup and 2 days on the floor. I am still very, very naive after 25 years in this institution. But I still have 13 months to go, and maybe I will lose some of that naivete and realize that agreements are agreements only when we say they are and they are gone 2 minutes later.

But I want to make sure that I thank people who worked around the clock day and night on this legislation, and I want to thank Sally Lovejoy, Kent Talbert, Christie Wolfe, Darcy Philps, Lynn Selmsner, Becky Campoverde, Kevin Talley, Jo Marie St. Martin, Kim Proctor, Vic Klatt, and Kara Haas from the staff of the gentleman from Delaware (Mr. CASTLE). And from the minority I want to thank Alex Nock, Cheryl Johnson, Mark Zuckerman,

June Harris, Charles Barone, and Gail Weiss, among others. They worked day and night, and sometimes I do not think we realize what hours staffers put in to try to bring about an agreement. In this we were trying to bring about a bipartisan agreement.

Mr. SCHAFFER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I ask the body to consider favorably the amendment that is presently before us. In my opinion the amendment offered by the gentleman from Wisconsin (Mr. PETRI) is without a doubt the greatest opportunity we have and we have had today to convert this bill from not just a creation of a new set of mandates imposed on local schools, but to do something much better and turn it into a good bill, and that is to allow freedom and flexibility for families and children who are trapped in schools that do not earn their confidence.

As my colleagues know, to hear the argument against the Petri amendment one would think that all schools around the country are bad. I do not think that is the case at all. I think most schools are genuinely good and that they try very hard to create a learning environment that is in the best interests of the children that they serve. The Petri amendment acknowledges that and suggests that for those children who are trapped in terminally bad schools that they do have the opportunity to find a different academic setting, a better academic setting.

It begins to regard families and parents as the individuals who play the most paramount role, the most pivotal role in designing an academic strategy that is in the best interests of their children. The notion that government knows best is what is insinuated in this bill and in the Title I program; and we have before us right now an opportunity to appeal to the free market instincts of parents, of teachers, of students, treating teachers like real professionals, parents like customers and honor the freedom to teach and the liberty to learn that we all believe to be important.

□ 1415

I would ask this body to consider most seriously the opportunity that is before us with the Petri amendment. I thank the gentleman for offering it, and I commend him for his vision in trying to provide school choice and portability with these Title I dollars, because this is the only amendment we have had a chance to consider that measures fairness in education by the relationship between students, not the relationship between school buildings or school districts or other political entities.

I ask for the adoption of the amendment.

The CHAIRMAN pro tempore (Mr. SHIMKUS). The question is on the amendment offered by the gentleman from Wisconsin (Mr. PETRI).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Mr. PETRI. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 336, further proceedings on the amendment offered by the gentleman from Wisconsin (Mr. PETRI) will be postponed.

AMENDMENT NO. 40 OFFERED BY MR. EHLERS
Mr. EHLERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 40 offered by Mr. EHLERS:
In section 1111(b)(1)(C) of the Elementary and Secondary Education Act of 1965, as amended by section 105 of the bill, strike "mathematics and reading or language arts," and insert "mathematics, reading or language arts, and science."

In section 1111(b)(4) of the Elementary and Secondary Education Act of 1965, as amended by section 105 of the bill, strike "mathematics and reading or language arts," and insert "mathematics, reading or language arts, and science."

In section 1111(h)(2)(A)(i) of the Elementary and Secondary Education Act of 1965, as amended by section 105 of the bill, strike "reading or language arts and mathematics," and insert "mathematics, reading or language arts, and science."

At the end of section 105 of the bill—

(1) strike the quotation marks and the final period; and

(2) insert the following:

"(i) SPECIAL RULE ON SCIENCE STANDARDS AND ASSESSMENTS.—Notwithstanding subsections (b) and (h), no State shall be required to meet the requirements under this title relating to science standards or assessments until the beginning of the 2005-2006 school year."

Mr. EHLERS. Mr. Chairman, I want to point out some basic facts about science in the United States. First of all, more than one-half of all economic growth in this Nation is tied to recent developments from science and technology. That is, over one-half of our economic growth is dependent on science and technology.

Our Nation's economic future and our economic strength are directly linked to the science aptitude of our work force. Unfortunately, our science aptitude is not good. You are aware that, on an international scale developed through international assessments, the United States came out near the bottom; and, in fact, in physics it was at the bottom of the 15 developed countries participating in the evaluation. With that type of record, it is very hard for us to keep our economy going. Science education must start early to prepare students for the demands of tomorrow's jobs. But currently, schools are not teaching science in many cases, and they are not teaching it well in other cases. There are, of course, exceptions. Some schools do exceptionally well. But, across the country, our science and math education is deficient and as a result, our students are falling behind other countries. Perhaps one indication of that is that in

today's graduate schools in science and engineering, over one-half of all of the graduate students are from other countries.

It is clear that has to change, and the best place to have it change is in early education.

My amendment is a simple amendment. It will not place much demand on the educational system, but it simply will require that by the 2005-2006 school year that science will be placed alongside of reading and math as essential subjects to be assessed in each school. In other words, this will give parents an opportunity to determine how well their schools are teaching science and how well their students are learning science, the science they must have if they are to be employable and to contribute to the economic growth of our Nation.

I believe this is a good amendment which will help solve a major national problem. There is very little expense, if any, attached to it. It simply will make clear the need for increased teaching of science in elementary and secondary schools, and will give us an opportunity to assess how well the schools are doing in meeting that need. I urge adoption of this amendment.

Mr. GOODLING. Mr. Chairman, I move to strike the last word.

The goal is noble. The cost we do not know. According to governors it would be exorbitant. We have the cost at the present time for the math and the reading and we do not know the cost in relationship to science. Therefore, I have to oppose the amendment.

Mr. HOLT. Mr. Chairman, I move to strike the requisite number of words.

(Mr. HOLT asked and was given permission to revise and extend his remarks.)

Mr. HOLT. Mr. Chairman, I rise in support of the amendment to include science in the bill.

I rise in support of H.R. 2 which provides educational support for low-income students.

Let me first say that I commend the bipartisan effort that has gone into making this a strong bill. As a teacher and a scientist, it is refreshing for me to see Members put their partisan differences aside to work on a bill that will help all our children.

Every child in this nation has the right to receive an excellent education. Furthermore, it is necessary for the well being of society at large for all children to receive an excellent education.

The accountability provisions for the funds provided in this bill are critical to the success of ensuring a quality education for all.

This bill requires that judgments about school progress be based on disaggregated data. That is, all at-risk subgroups of students must be making adequate yearly progress toward proficiency in reading and math.

I rise in support of Mr. PETRI's amendment to include science among the subjects in which student progress and proficiency are measured.

Science education has been established as a national priority.

This Congress has supported that priority by maintaining and strengthening teacher training

in math and science in the teacher bill we passed in July.

National efforts to improve science and math education are resulting in exciting new teaching methods. These hands-on methods allow students to conduct experiments and learn to question and discover for themselves.

Science classes are gateways for our children to the opportunities of tomorrow.

But we need to do more. The Third International Math and Science Study (TIMSS) results showed that U.S. 12th graders are lagging below the international average in science and math.

Previous Congresses have encouraged states to establish standards for what our children should be learning in science. Forty states have standards for our children in science. But only 26 are actually testing to find out if the students are learning according to these standards.

Mr. PETRI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, would the author of the amendment answer a question?

Mr. EHLERS. Mr. Chairman, I will be happy to.

Mr. PETRI. Mr. Chairman, what is the gentleman's response to the argument that some have made that this is one more mandate, and we are attempting to give more flexibility to the States, mandate that there be science education in addition to I guess we do mandate reading and math.

Mr. EHLERS. Mr. Chairman, I appreciate the question; and I also appreciate the support from the gentleman from New Jersey (Mr. HOLT) and other Members of the body who have indicated their support. Because of the shortness of time, not everyone will be able to speak.

There is a question as to whether or not this is another mandate. I do not believe it is so, because this is a matter of assessment. The schools are ready, the teachers are ready. This is simply saying this is an important national priority and one of the subjects that we should teach and which our school systems should assess is the knowledge that students have acquired in the scientific arena so that we know whether or not we will have an adequate work force for the future, and so that we will have an adequate number of scientists and engineers as well.

So it addresses both the issue of workers in the workplace, and training for scientists. We simply need more technological workers. And then secondly, that we will have the researchers necessary to do the research work that will be necessary. In my own State, they are still evaluating this amendment. The Governor is not opposing it, but I know he is concerned about it. A few other States have indicated a concern, and that is why we added the language that this does not take effect until 2005–2006.

PARLIAMENTARY INQUIRY

Mr. OWENS. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. OWENS. Mr. Chairman, what amendment are we on?

The CHAIRMAN pro tempore. Amendment No. 40 by Mr. EHLERS is pending.

Mr. OWENS. Did we vote on that already?

The CHAIRMAN pro tempore. The Committee has not voted on that yet. Members are still speaking in support or in opposition to that amendment.

Mr. OWENS. I am sorry. I thought we had voted on it.

Mr. EHLERS. Mr. Chairman, just to wrap up, we do not have this take effect until 2005–2006, which is actually after this bill expires. It is basically setting the groundwork for the next bill. It will be in effect the final year only if we do as we normally do, and reauthorize the bill for an additional year. But it sets the pattern for the future and gives the schools more than adequate time to prepare.

Mr. PETRI. Mr. Chairman, reclaiming my time, I thank the gentleman for his response. This would, in fact, not be a mandate in the sense that its effective date is after the expiration date of this particular reauthorization bill, but this is a signal to State and local school districts that we feel science education is important and to prepare young people for the changing world of work and to be productive Members of our society and to be a competitive society, we must emphasize science education.

Mr. EHLERS. Mr. Chairman, if the gentleman will yield further, I thank the gentleman for stating that very well. There is no additional cost involved for the States.

Mr. PETRI. I thank the gentleman.

Mr. CASTLE. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN pro tempore. The gentleman from Delaware (Mr. CASTLE) is recognized until 2:25 p.m.

Mr. CASTLE. Mr. Chairman, I rise on this amendment because I am somewhat uncertain as to whether we should go forward with it or not. Perhaps the chairman can help me with some of this.

Let me just say a couple of things up front. I am a total believer that in the United States of America today that we do have a problem in terms of lack of basic knowledge in the area of science, I am talking about people like me and others who were mediocre science students and not just the people of the stature of the gentleman from Michigan (Mr. EHLERS) who are among the eminent scientists in America today. I think we should all have a greater and broader knowledge than we do.

In my heart, my feeling is that something like this is a good idea, developing science and math which are somewhat related in many instances which is something we need to do, particularly when compared to other countries.

So for all of those reasons, I have a lot of sympathy for what we are dealing with here, and that is why we have

supported initiatives under the Teacher Empowerment Act which the gentleman from California (Mr. MCKEON) sponsored which highlights the need for the natural focus in the area of science and particularly having teachers who are prepared to teach, which is a major problem in both science and math. We have too many people teaching those subjects who really are unprepared.

Ms. WOOLSEY. Mr. Chairman, I rise in strong support of my colleague, Mr. EHLERS', amendment to add science as one of the subjects that will require State standards and assessments.

I am fortunate to serve with Congressman EHLERS on both the education and the science committees, so I know, first-hand, how committed he is to improving science education in this country.

And it needs improvement! There's a good reason why the test scores of American students ranked No. 16 out of students in 21 countries on a recent international science examination.

There is also a good reason why, just last week, Senator ROBB introduced a bill in the other body to create a new category of visas for foreign nationals with graduate degrees in high technology fields.

International graduate students would be eligible for the new "T-visas" if they had skills in science and technology and a job offer with an annual compensation of at least \$60,000.

What's wrong with this picture? It doesn't take a rocket scientist to figure it out!

We must—we must, must, must—do more to ensure that more U.S. students pursue the kinds of studies they need to have a high-tech, high-paying career.

According to the American Electronics Association, the American high-tech industry has created one million new jobs since 1993. At the same time, the number of degrees awarded in computer science, engineering, mathematics and physics have declined since 1990.

And, of the degrees awarded in these fields, a large percentage are going to foreign nationals; 32 percent of all master's degrees and 45 percent of all doctoral degrees currently go to foreign students.

Without doubt, one of the reasons for this decline is that too many American students are not studying science in the early grades. This is particularly true of girls and minorities, who are more than half of our student population.

It is predicted that by the year 2010, 65 percent of all jobs will require at least some technology skills. We need to make science education a national priority. That's what the Ehlers amendment will do, and I urge my colleagues to vote for it.

Mrs. MORELLA. Mr. Chairman, I rise in support of the amendment to include science as one of the subjects for which states would be required to develop standards and assessments. I congratulate my colleague, Mr. EHLERS, for bring this important issue to the attention of the whole House.

In the largest international study ever undertaken of student performance in math and science, the math and science skills of children from the United States lagged far behind students in other countries. The results of this study . . . called third International Mathematics and Science Study (TIMSS) . . . are

clear: As we prepare to enter the new millennium engaged in a competitive global economic marketplace, we have a severe crisis facing our children's ability to be fully prepared for the future.

American students don't deserve to be at the bottom when compared to their counterparts in other countries. We have the opportunity to encourage American students to rise to the top, where they belong. I believe that we must ensure that the teaching of mathematics at all educational levels in the United States is strengthened and that our children are adequately prepared to compete for jobs with their global peers.

Education has been my personal priority. I am the parent of 9 children and 16 grandchildren. I want to make sure that my grandchildren can understand science and math. I want them to be taught by teachers who are enthusiastic about teaching and have been given professional training, who are dedicated and recognized for their commitment and innovation.

If we are to stay on top as a nation, we must continue to promote activities that will ensure economic vitality and enhanced opportunities for all Americans.

I urge a "yes" vote on the Ehlert amendment.

The CHAIRMAN pro tempore. Pursuant to the rule, consideration of further amendments must now cease.

The question is on the amendment offered by the gentleman from Michigan (Mr. EHLERS).

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

Mr. GOODLING. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 336, further proceedings on the amendment offered by the gentleman from Michigan (Mr. EHLERS) will be postponed.

PARLIAMENTARY INQUIRY

Mr. HINOJOSA. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. HINOJOSA. Mr. Chairman, would it be in order to ask for unanimous consent to speak for 1 minute?

The CHAIRMAN pro tempore. At this point unanimous consent requests for additional debate time cannot be granted in the Committee of the Whole. Those requests can only be offered in the whole House.

Mr. HINOJOSA. Mr. Chairman, just to enter a very short statement in the RECORD; it will take me 15 seconds.

The CHAIRMAN pro tempore. Under the special order adopted by the House at this point the gentleman must do that in the House, not in the Committee of the Whole, since all time for consideration has expired.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 336, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 38 offered by the gentleman from New Jersey

(Mr. PAYNE); Amendment No. 43 offered by the gentleman from Indiana (Mr. ROEMER); Amendment No. 42 offered by the gentleman from Wisconsin (Mr. PETRI); and Amendment No. 40 offered by the gentleman from Michigan (Mr. EHLERS).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 38 OFFERED BY MR. PAYNE

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on Amendment No. 38 offered by the gentleman from New Jersey (Mr. PAYNE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 208, noes 215, not voting 10, as follows:

[Roll No. 522]
AYES—208

Abercrombie	Eshoo	Markey
Ackerman	Etheridge	Martinez
Allen	Evans	Mascara
Andrews	Farr	Matsui
Baird	Fattah	McDermott
Baldacci	Filner	McGovern
Baldwin	Forbes	McIntyre
Barcia	Ford	McKinney
Barrett (WI)	Frank (MA)	McNulty
Becerra	Frost	Meehan
Bentsen	Gejdenson	Meek (FL)
Berkley	Gephardt	Meeks (NY)
Berman	Gonzalez	Menendez
Berry	Gordon	Millender-
Bilbray	Green (TX)	McDonald
Bishop	Gutierrez	Miller, George
Blagojevich	Hall (OH)	Minge
Blumenauer	Hastings (FL)	Mink
Bonilla	Hill (IN)	Moakley
Bonior	Hilliard	Mollohan
Borski	Hinchee	Moore
Boswell	Hinojosa	Moran (VA)
Boucher	Hoeffel	Morella
Boyd	Holden	Murtha
Brady (PA)	Holt	Myrick
Brown (FL)	Hookey	Nadler
Brown (OH)	Horn	Napolitano
Capps	Houghton	Neal
Capuano	Hoyer	Oberstar
Cardin	Inslee	Obey
Carson	Jackson (IL)	Olver
Clay	John	Ortiz
Clayton	Johnson (CT)	Owens
Clement	Johnson, E.B.	Pallone
Clyburn	Jones (OH)	Pascrell
Condit	Kanjorski	Pastor
Conyers	Kaptur	Payne
Costello	Kennedy	Pelosi
Coyne	Kildee	Peterson (MN)
Cramer	Kilpatrick	Phelps
Crowley	Kind (WI)	Pickett
Cummings	Kleczka	Pomeroy
Danner	Klink	Price (NC)
Davis (FL)	Kucinich	Rahall
Davis (IL)	LaFalce	Rangel
DeFazio	LaHood	Reyes
DeGette	Lampson	Rivers
DeLahunt	Lantos	Rodriguez
DeLauro	Leach	Roemer
Deutsch	Lee	Rothman
Dicks	Levin	Roybal-Allard
Dingell	Lewis (GA)	Rush
Dixon	Lipinski	Sabo
Doggett	Lowe	Sanchez
Dooley	Lucas (KY)	Sanders
Doyle	Luther	Sandlin
Edwards	Maloney (CT)	Sawyer
Engel	Maloney (NY)	Schakowsky

Scott	Strickland	Visclosky
Serrano	Stupak	Waters
Sherman	Tauscher	Watt (NC)
Shows	Thompson (MS)	Waxman
Sisisky	Thurman	Weiner
Skelton	Tierney	Wexler
Slaughter	Towns	Weygand
Snyder	Trafcant	Wise
Spratt	Turner	Woolsey
Stabenow	Udall (NM)	Wu
Stark	Velazquez	Wynn
Stenholm	Vento	

NOES—215

Aderholt	Gilman	Pitts
Archer	Goode	Pombo
Armey	Goodlatte	Porter
Bachus	Goodling	Portman
Baker	Goss	Pryce (OH)
Ballenger	Graham	Quinn
Barr	Granger	Radanovich
Barrett (NE)	Green (WI)	Ramstad
Bartlett	Greenwood	Regula
Barton	Gutknecht	Reynolds
Bass	Hall (TX)	Riley
Bateman	Hansen	Rogan
Bereuter	Hastings (WA)	Rogers
Biggert	Hayes	Rohrabacher
Billirakis	Hayworth	Ros-Lehtinen
Bliley	Hefley	Roukema
Blunt	Herger	Royce
Boehrlert	Hill (MT)	Ryan (WI)
Boehner	Hilleary	Ryun (KS)
Bono	Hobson	Salmon
Brady (TX)	Hoekstra	Sanford
Bryant	Hostettler	Saxton
Burr	Hulshof	Schaffer
Burton	Hunter	Sensenbrenner
Buyer	Hutchinson	Sessions
Callahan	Hyde	Shadegg
Calvert	Isakson	Shaw
Campbell	Istook	Shays
Canady	Jenkins	Sherwood
Cannon	Johnson, Sam	Shimkus
Castle	Jones (NC)	Shuster
Chabot	Kasich	Simpson
Chambliss	Kelly	Skeen
Chenoweth-Hage	King (NY)	Smith (MI)
Coble	Kingston	Smith (NJ)
Coburn	Knollenberg	Smith (TX)
Collins	Kolbe	Smith (WA)
Combust	Kuykendall	Souder
Cook	Largent	Spence
Cooksey	Latham	Stearns
Cox	LaTourette	Stump
Crane	Lazio	Sununu
Cubin	Lewis (CA)	Sweeney
Cunningham	Lewis (KY)	Talent
Davis (VA)	Linder	Tancredo
Deal	LoBiondo	Tanner
DeLay	Lofgren	Tauzin
DeMint	Lucas (OK)	Taylor (MS)
Diaz-Balart	Manzullo	Taylor (NC)
Dickey	McCollum	Terry
Doolittle	McCreey	Thomas
Dreier	McHugh	Thompson (CA)
Duncan	McIntosh	Thornberry
Dunn	McKeon	Thune
Ehlers	Metcalf	Tiahrt
Ehrlich	Mica	Toomey
Emerson	Miller (FL)	Upton
Engish	Miller, Gary	Walden
Everett	Moran (KS)	Walsh
Ewing	Nethercutt	Wamp
Fletcher	Ney	Watkins
Foley	Northup	Watts (OK)
Fossella	Norwood	Weldon (FL)
Fowler	Nussle	Weldon (PA)
Franks (NJ)	Ose	Weller
Frelinghuysen	Oxley	Whitfield
Gallegly	Packard	Wicker
Ganske	Paul	Wilson
Gekas	Pease	Wolf
Gibbons	Peterson (PA)	Young (AK)
Gilchrest	Petri	Young (FL)
Gillmor	Pickering	

NOT VOTING—10

Camp	Larson	Scarborough
Jackson-Lee	McCarthy (MO)	Udall (CO)
(TX)	McCarthy (NY)	Vitter
Jefferson	McInnis	

□ 1451

Messrs. FRANKS of New Jersey, LOBIONDO, BATEMAN, GANSKE, ENGLISH, EWING, and RAMSTED

changed their vote from "aye" to "no". Messrs. SPRATT, LAMPSON, and HOEFFEL changed their vote from "no" to "aye".

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. LARSON. Mr. Chairman, on rollcall No. 522, had I been present, I would have voted "yes."

Stated against:

Mrs. MYRICK. Mr. Chairman, on rollcall No. 522, I inadvertently, pressed the "aye" button. I meant to vote "nay."

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. SHIMKUS). Pursuant to House Resolution 336, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 43 OFFERED BY MR. ROEMER

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment 43 offered by the gentleman from Indiana (Mr. ROEMER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 181, not voting 9, as follows:

[Roll No. 523]

AYES—243

Abercrombie	Condit	Fossella
Ackerman	Conyers	Frank (MA)
Allen	Costello	Franks (NJ)
Andrews	Coyne	Frost
Baird	Cramer	Galleghy
Baldacci	Crowley	Gejdenson
Baldwin	Cummings	Gephardt
Barcia	Danner	Gibbons
Barrett (WI)	Davis (FL)	Gilman
Becerra	Davis (IL)	Gonzalez
Bentsen	Davis (VA)	Gordon
Bereuter	DeFazio	Green (TX)
Berkley	DeGette	Gutierrez
Berman	Delahunt	Hall (OH)
Berry	DeLauro	Hall (TX)
Bilbray	Deutsch	Hastings (FL)
Bishop	Dickey	Hill (IN)
Blagojevich	Dicks	Hilliard
Blumenauer	Dingell	Hinchev
Boehlert	Dixon	Hinojosa
Bonior	Doggett	Hoefel
Borski	Doolley	Holden
Boswell	Doyle	Holt
Boucher	Edwards	Hooley
Boyd	Emerson	Horn
Brady (PA)	Engel	Hostettler
Brown (FL)	English	Houghton
Brown (OH)	Eshoo	Hoyer
Capps	Etheridge	Hulshof
Capuano	Evans	Inslee
Cardin	Farr	Jackson (IL)
Carson	Fattah	John
Clay	Filner	Johnson (CT)
Clayton	Foley	Johnson, E. B.
Clement	Forbes	Jones (OH)
Clyburn	Ford	Kanjorski

Kaptur	Moakley
Kelly	Mollohan
Kennedy	Moore
Kildee	Moran (VA)
Kilpatrick	Morella
Kind (WI)	Murtha
King (NY)	Nadler
Kleczka	Napolitano
Klink	Neal
Kucinich	Ney
Kuykendall	Oberstar
LaFalce	Obey
LaHood	Olver
Lampson	Ortiz
Lantos	Owens
Larson	Pallone
Leach	Pascrell
Lee	Pastor
Levin	Payne
Lewis (GA)	Pease
LoBiondo	Pelosi
Lofgren	Peterson (MN)
Lowe	Phelps
Lucas (KY)	Pomeroy
Luther	Price (NC)
Maloney (CT)	Quinn
Maloney (NY)	Rahall
Markey	Ramstad
Martinez	Rangel
Mascara	Reyes
Matsui	Rivers
McDermott	Rodriguez
McGovern	Roemer
McHugh	Rothman
McIntyre	Roybal-Allard
McKinney	Rush
McNulty	Sabo
Meehan	Sanchez
Meek (FL)	Sanders
Meeks (NY)	Sandlin
Menendez	Sawyer
Millender-	Schakowsky
McDonald	Scott
Miller, George	Serrano
Minge	Shays
Mink	Sherman

NOES—181

Aderholt	Ehlers
Archer	Ehrlich
Armey	Everett
Bachus	Ewing
Baker	Fletcher
Ballenger	Fowler
Barr	Frelinghuysen
Barrett (NE)	Ganske
Bartlett	Gekas
Barton	Gilchrest
Bass	Gillmor
Bateman	Goode
Biggert	Goodlatte
Bilirakis	Goodling
Bliley	Goss
Blunt	Graham
Boehner	Granger
Bonilla	Green (WI)
Bono	Greenwood
Brady (TX)	Gutknecht
Bryant	Hansen
Burr	Hastings (WA)
Burton	Hayes
Buyer	Hayworth
Callahan	Hefley
Calvert	Herger
Campbell	Hill (MT)
Canady	Hilleary
Cannon	Hobson
Castle	Hoekstra
Chabot	Hunter
Chambliss	Hutchinson
Chenoweth-Hage	Hyde
Coble	Isakson
Coburn	Istook
Collins	Jenkins
Combest	Johnson, Sam
Cook	Jones (NC)
Cooksey	Kasich
Cox	Kingston
Crane	Knollenberg
Cubin	Kolbe
Cunningham	Largent
Deal	Latham
DeLay	LaTourette
DeMint	Lazio
Diaz-Balart	Lewis (CA)
Doolittle	Lewis (KY)
Dreier	Linder
Duncan	Lipinski
Dunn	Lucas (OK)

Sherwood	Skeen
Shows	Smith (MI)
Sisisky	Smith (TX)
Skelton	Souder
Slaughter	Spence
Smith (NJ)	Stearns
Smith (WA)	Stump
Snyder	Sununu
Spratt	Talent
Stabenow	Tancredo
Stark	
Stenholm	
Strickland	
Stupak	
Sweeney	
Tanner	
Tauscher	
Taylor (MS)	
Thompson (CA)	
Thompson (MS)	
Thurman	
Tierney	
Towns	
Trafficant	
Turner	
Udall (NM)	
Upton	
Velazquez	
Vento	
Visclosky	
Walsh	
Waters	
Watt (NC)	
Waxman	
Weiner	
Weldon (PA)	
Weller	
Wexler	
Weygand	
Wilson	
Wise	
Woolsey	
Wu	
Wynn	

Tauzin	Watkins
Taylor (NC)	Watts (OK)
Terry	Weldon (FL)
Thomas	Whitfield
Thornberry	Wicker
Thune	Wolf
Tiahrt	Young (AK)
Toomey	Young (FL)
Walden	
Wamp	

NOT VOTING—9

Camp	McCarthy (MO)	Udall (CO)
Jackson-Lee	McCarthy (NY)	Vitter
(TX)	McInnis	
Jefferson	Scarborough	

Mr. NEY and Mr. GALLEGLY changed their vote from "no" to "aye". So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 42 OFFERED BY MR. PETRI

The CHAIRMAN pro tempore (Mr. SHIMKUS). The pending business is the demand for a recorded vote on amendment No. 42 offered by the gentleman from Wisconsin (Mr. PETRI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 153, noes 271, not voting 9, as follows:

[Roll No. 524]

AYES—153

Aderholt	Duncan	McCollum
Archer	Dunn	McCrery
Armey	Ehlers	McIntosh
Bachus	Ehrlich	McKeon
Baker	English	Metcalfe
Ballenger	Everett	Mica
Barr	Fletcher	Miller (FL)
Bartlett	Fossella	Miller, Gary
Barton	Fowler	Myrick
Bass	Franks (NJ)	Northup
Bereuter	Gibbons	Norwood
Bilirakis	Goss	Oxley
Bliley	Graham	Packard
Boehner	Gutknecht	Paul
Bonilla	Hall (TX)	Pease
Bono	Hansen	Peterson (PA)
Brady (TX)	Hastings (WA)	Petri
Bryant	Hayes	Pickering
Burton	Hayworth	Pitts
Buyer	Hefley	Pryce (OH)
Callahan	Herger	Radanovich
Calvert	Hill (MT)	Reynolds
Campbell	Hilleary	Riley
Canady	Hoekstra	Rogan
Cannon	Horn	Rogers
Chabot	Hunter	Rohrabacher
Chambliss	Hyde	Ros-Lehtinen
Chenoweth-Hage	Isakson	Royce
Coble	Istook	Ryan (WI)
Coburn	Johnson, Sam	Ryun (KS)
Collins	Jones (NC)	Salmon
Combest	Kasich	Sanford
Cook	King (NY)	Schaffer
Cox	Kingston	Sensenbrenner
Crane	Knollenberg	Sessions
Cubin	Kolbe	Shadegg
Deal	Kuykendall	Shaw
DeLay	Largent	Shays
DeMint	Lewis (KY)	Sherwood
Diaz-Balart	Linder	Shimkus
Dickey	Lipinski	Shuster
Doolittle	Lucas (OK)	Skeen
Dreier	Manzullo	Smith (MI)

Jefferson
McCarthy (MO)
McCarthy (NY)

McInnis
Ryan (WI)
Scarborough

Udall (CO)

□ 1517

Mr. RAHALL changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. BATEMAN. Mr. Chairman, on rollcall No. 525, I was unavoidably detained. Had I been present, I would have voted "aye."

Stated against:

Mr. RYAN of Wisconsin. Mr. Chairman, on rollcall No. 525, I was unavoidably detained. Had I been present, I would have voted "no."

The CHAIRMAN pro tempore (Mr. SHIMKUS). The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

Ms. ROYBAL-ALLARD. Mr. Chairman, as chair of the Congressional Hispanic Caucus, I rise in opposition to H.R. 2. I oppose this bill due to strong reservations concerning the Bilingual Education Act and parental notification component of the bill.

I know my Democratic colleagues on the committee, Ranking Member CLAY and Representatives KILDEE, HINOJOSA, and MARTINEZ and staff have fought hard for acceptable and fair language in the reauthorization of the Bilingual Education Act. However, in the end, what the Republicans offered in the final negotiations fails to fully protect bilingual education programs.

For example, instead of making bilingual education programs stronger, Republicans are simply interested in block granting the program. Those of us who support bilingual education want to bring more accountability to the program and help students meet high state standards. Diluting the funds through block grants will do little to help LEP students achieve high standards.

Bilingual education is important to our students and our nation. We must promote bilingual education so that our students can learn English, while retaining their native language, in order to excel academically. We must help our limited English proficient children develop the talents and the skills they need to compete in today's highly technical and competitive global economy.

Multilingualism is something we should be proud of. Our LEP children bring invaluable language resources and knowledge to our society. Bilingual education promotes our students' native language skills.

Another significant problem with H.R. 2 was the parental notification and consent requirement for LEP students. In order for LEP students to receive services under Title I, schools would have to seek permission from the parents of these students. No other group of students is asked to get permission from their parents to receive services under Title I, only LEP students. This is wrong, discriminatory and has no place in an education bill.

Many of my colleagues will support this bill, in the hopes that it will be improved as it moves through the process, knowing that when the bill comes back from conference they will have the option to vote against it. However, as chair of the Hispanic Caucus, I

feel it is important for me to vote against this bill as a signal that the Caucus, regardless of their vote on the overall bill, feels strongly that much more work needs to be done.

It is unfortunate that this signal must be sent because the reauthorization of Title I is critical to the Hispanic community.

Title I funds serve a rapidly expanding number of low-income and limited English proficient students, for example, nearly 32 percent of Title I students are Hispanic.

In addition, H.R. 2 holds our schools accountable by mandating that Title I schools ensure all students meet high standards.

H.R. 2 also requires that States and schools provide report cards so that parents have the basic facts about the progress their children are making in their education so they can take action to improve their schools' curriculum, if needed.

Also, H.R. 2 raises the standards for paraprofessionals in the classroom. Paraprofessionals are supervised teacher's aides who provide critical assistance for our kids in the classroom. However, in many of our schools it is the teacher's aide and not the teacher who is doing the instruction. This bill would encourage paraprofessionals to enroll in a career track program to better assist teachers with instructional support in the classroom.

These are just a few examples of the good that is in this bill and why so many of my colleagues will support the movement of this bill to the Senate. But with their vote also comes the commitment of the CHC members to work diligently to make the final version of the bill closely mirror the CHC language on bilingual education. The future of many of our children depends on it. Therefore, it is my hope that the Republican leadership will work with us to achieve this goal.

Mr. COSTELLO. Mr. Chairman, I rise today in strong support of H.R. 2, the Student Results Act. I am encouraged by the bipartisan nature of this education bill which was crafted on an unbiased basis following the appropriate committee process.

Mr. Chairman, I am pleased to see that Title I funds will receive a \$1 billion increase over last year's appropriation level bringing the authorization level to \$8.35 billion in fiscal year 2000. By providing this commitment to our educationally disadvantaged students, the success we will see in our Nation's school children will be immeasurable.

This bill will require schools to meet challenging Title I standards and hold schools accountable for the results of their Title I programs by requiring an annual report to parents and the public on the academic performance of schools receiving Title I funds. In addition, this legislation strengthens the requirement for teachers' aides by requiring 2 years of higher education, an associate's degree or meet rigorous standards assessing their math, reading and writing skills.

Mr. Chairman, I am pleased the bill allows states to set aside 30 percent of any increase in Title I funds to reward schools and teachers that substantially close the gap between the lowest and highest performing students that have made outstanding yearly progress for 2 consecutive years. In my own Congressional District in Southwestern Illinois there is a school that will benefit tremendously from this award system. Belleville School District 118 has been lauded as one of the best Title I programs in the State. In fact, the Illinois State

Board of Education called upon Belleville 118's Title I director, Tom Mentzer, to give presentations to other school districts on how to reach the level of success that District 118 has had with their Title I program. Yet, this year Belleville School District 118 was forced to reduce their Title I teaching staff. Due to no increase in Title I funds for this school year, and not being eligible for additional Title I related grants such as Comprehensive School Reform Initiative (CSRI) based on high test scores, there are schools in 118 that received Title I funding last year that will not be serviced by Title I funding this year. What a difference Title I funds may have made in an educationally disadvantaged student's life had they had additional funds to provide Title I remedial reading initiatives. By putting this provision in the bill we will no longer economically punish schools that have excelled in achieving the goals set out for them by Title I.

I urge my colleagues to support this legislation that helps at-risk students stay in school. Vote for this bipartisan education bill that will benefit thousands of students in each of our congressional districts.

Mr. UNDERWOOD. Mr. Chairman, I'm speaking today in support of H.R. 2: The Students Results Act of 1999, which authorizes Title I Federal Elementary and Secondary Education Programs for five years, although I have some serious concerns regarding this proposal.

While I applaud the efforts of our Democratic committee members who fought tooth and nail to ensure that funding remains targeted at the most disadvantaged and poorest students, I fear that the poor and disadvantaged will be left in the cold again. This is due to Republican demands disguised to provide greater flexibility in using federal money and require more information on results. This so-called flexibility comes at a high price.

This proposed legislation would, in fact: dilute services to schools that are the most needy by allowing diversion of up to 30 percent of all new title I money to reward schools that improve student achievement; and lower the poverty threshold for school-wide programs.

While I support rewarding schools for achieving success, I believe that it should not come out of the existing Title I pot of funding. As it stands already, we are stretched to provide service to all Title I eligible children. The Congressional Research Service estimates that serving all Title I eligible children would require \$24 billion, that's nearly 3 times the current funding level. Therefore, instead of taking money out of the same pot, we should find other avenues to reward successful school programs.

Another proposal in the Title I provision to lower the poverty threshold from the current 50 percent poverty limit to 40 percent for schoolwide programs would only further water down funding.

We should strive not only for greater fiscal accountability within our programs, we should ensure that we provide sound program accountability to our poor and disadvantaged children.

Some serious concerns have also been raised by members with the provision to require parental consent for students with limited English proficiency in Title I. I am deeply concerned that the parental consent requirement may impede a child's ability to gain meaningful

instruction while waiting to be placed in a Limited English Proficiency (LEP) program. First and foremost, our primary concern for this measure is to ensure that the best needs of students are being served. So, that important instructional support to LEP children are not delayed.

Finally, I urge members to strongly consider the reauthorization of the Bilingual Education Act (BEA). The BEA serves as one of the most meaningful tools a teacher can use to provide meaningful academic instruction to students. However, I believe that the BEA must allow schools the flexibility to choose instructional methods that are best suited for their students.

Mr. PAUL. Mr. Chairman, Congress is once again preparing to exceed its constitutional limits as well as ignore the true lesson of the last thirty years of education failure by reauthorizing Title I of the Elementary and Secondary Education Act (SEA). Like most federal programs, Title I was launched with the best of intentions, however, good intentions are no excuse for Congress to exceed its constitutional limitations by depriving parents, local communities and states of their rightful authority over education. The tenth amendment does not contain an exception for "good intentions!"

The Congress that created Title I promised the American public that, in exchange for giving up control over their schools and submitting to increased levels of taxation, federally-empowered "experts" would create an educational utopia. However, rather than ushering in a new golden age of education, increased federal involvement in education has, not coincidentally, coincided with a decline in American public education. In 1963, when federal spending on education was less than nine hundred thousand dollars, the average Scholastic Achievement Test (SAT) score was approximately 980. Thirty years later, when federal education spending ballooned to 19 billion dollars, the average SAT score had fallen to 902. Furthermore, according to the National Assessment of Educational Progress (NAEP) 1992 Survey, only 37% of America's 12th graders were actually able to read at a 12th grade level!

Supporters of a constitutional education policy should be heartened that Congress has finally recognized that simply throwing federal taxpayer money at local schools will not improve education. However, too many in Congress continue to cling to the belief that the "right federal program" conceived by enlightened members and staffers will lead to educational nirvana. In fact, a cursory review of this legislation reveals at least five new mandates imposed on the states by this bill; this bill also increases federal expenditures by \$27.7 billion over the next five years—yet the drafters of this legislation somehow manage to claim with a straight face that this bill promotes local control!

One mandate requires states to give priority to K-6 education programs in allocating their Title I dollars. At first glance this may seem reasonable, however, many school districts may need to devote an equal, or greater, amount of resources to high school education. In fact, the principal of a rural school in my district has expressed concern that they may have to stop offering programs that use Title I funds if this provision becomes law! What makes DC-based politicians and bureaucrats better judges of the needs of this small East

Texas school district than that school's principal?

Another mandate requires teacher aides to be "fully qualified" if the aides are to be involved in instructing students. Again, while this may appear to be simply a matter of following sound practice, the cost of hiring qualified teaching assistants will add a great burden to many small and rural school districts. Many of these districts may have to go without teachers aides, placing another burden on our already overworked public school teachers.

Some may claim that this bill does not contain "mandates" as no state must accept federal funds. However, since obeying federal edurcads is the only way states and localities can retrieve any of the education funds unjustly taken from their citizens by oppressive taxation, it is the rare state that will not submit to federal specifications.

One of the mantras of those who promote marginal reforms of federal education programs is the need to "hold schools accountable for their use of federal funds." This is the justification for requiring Title I schools to produce "report cards" listing various indicators of school performance. Of course, no one would argue against holding schools should be accountable, but accountable to whom? The Federal Government? Simply requiring schools to provide information about the schools, without giving parents the opportunity to directly control their child's education does not hold schools accountable to parents. As long as education dollars remain in the hands of bureaucrats not parents, schools will remain accountable to bureaucrats instead of parents.

Furthermore, maximum decentralization is the key to increasing education quality. This is because decentralized systems are controlled by those who know the unique needs of an individual child, whereas centralized systems are controlled by bureaucrats who impose a "one-size fits all" model. The model favored by bureaucrats can never meet the special needs of individual children in the local community because the bureaucrats have no way of knowing those particular needs. Small wonder that students in states with decentralized education score 10 percentage points higher on the NAEP tests in math and reading than students in states with centralized education.

Fortunately there is an alternative educational policy to the one before us today that respects the Constitution and improves education by restoring true accountability to America's education system. Returning real control to the American people by returning direct control of the education dollars to America's parents and concerned citizens is the only proper solution. This is precisely why I have introduced the Family Education Freedom Act (HR 935). The Family Education Freedom Act provides parents with a \$3,000 per child tax credit for the K-12 education expenses. I have also introduced the Education Tax Credit Act (HR 936), which provides a \$3,000 tax credit for cash contributions to scholarships as well as any cash and in-kind contribution to public, private, or religious schools.

By placing control of education funding directly into the hands of parents and concerned citizens, my bills restore true accountability to education. When parents control education funding, schools must respond to the parents' desire for a quality education, otherwise the parent will seek other educational options for their child.

Instead of fighting over what type of federal intervention is best for education, Congress should honor their constitutional oath and give complete control over America's educational system to the states and people. Therefore, Congress should reject this legislation and instead work to restore true accountability to America's parents by defunding the education bureaucracy and returning control of the education dollar to America's parents.

Mr. WU. Mr. Chairman, I rise today in support of the Crowley/Etheridge/Wu amendment.

Our sense-of-the-Congress amendment recognizes the fact that certain communities across the country are facing growing student populations. It shows our schools that Congress is aware of the problems of overcrowding and the need for financial support from Federal, State, and local agencies to assist these school districts.

All across this country, more and more students are entering schools. According to the Baby Boom Echo Report issued by the Department of Education, 52.7 million students are enrolled in both public and private schools. A new national enrollment record.

Schools are literally bursting at their seams with overcrowded classrooms. As I travel throughout my District, I see this first-hand. At Findley Elementary School in Beaverton, Oregon, students have outgrown a 5-year-old school and are now being taught in trailers.

In Washington County, one of the fastest growing counties in the nation, students are being taught in overcrowded classrooms. A report that I had commissioned showed that only 4 percent of K-3 students in Washington County were taught in classes of 18 or fewer students. In addition, approximately two out of every five Washington county K-3 students were taught in classes that significantly exceeded federal class size objectives.

Studies show that when you reduce class size in the early grades, and give students the attention they deserve, the learning gains last a lifetime.

Last year, Congress made a down payment on the administration's plan to hire 100,000 new teachers over a period of 7 years in order to reduce average class size to eighteen students in grades one through three. But that was only a down payment. We are now in the process of determining if we will keep our promise, and continue to fund the program.

Until we finalize the Labor, HHS, and Education Appropriations bill, we need to send a message to our schools that we are aware of the problems of overcrowding and will work to fix it.

Support the Crowley/Etheridge/Wu amendment. Show your schools that you care.

Mr. PACKARD. Mr. Chairman, I would like to encourage my colleagues to support H.R. 2, the Student Results Act of 1999. Educating America's youth is essential to the future of our nation. This legislation focuses on improving accountability and quality in our education system. The Student Results Act gives parents more control over key decisions for their children's education, including school choice, and academic accountability.

Education decisions belong at the local level, where parents and educators can be involved. H.R. 2 achieves this by authorizing greater local control and more choice for parents. It also provides aid to state and local educational agencies to help educationally disadvantaged children achieve the same high performance standards as every other student.

Mr. Chairman, everyone should support improvements to our education system that will raise the standard of excellence in learning and give every child in America the opportunity to learn at his or her maximum potential. I urge my colleagues to support the Students Results Act today.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PEASE) having assumed the chair, Mr. SHIMKUS, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2) to send more dollars to the classroom and for certain other purposes, pursuant to House Resolution 366, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR.
HINOJOSA

Mr. HINOJOSA. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HINOJOSA. I am, Mr. Speaker, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HINOJOSA moves to recommit the bill H.R. 2 to the Committee on Education and the Workforce with instructions to conduct hearings and promptly report to the House on title VII regarding the effectiveness of bilingual education and migrant education.

The SPEAKER pro tempore. The gentleman from Texas (Mr. HINOJOSA) is recognized for 5 minutes on his motion to recommit.

(Mr. HINOJOSA asked and was given permission to revise and extend his remarks.)

Mr. HINOJOSA. Mr. Speaker, I planned today to offer three amendments, Nos. 25, 26, and 27, bilingual education and migrant education issues that are very important to me and my district, in fact to many people throughout the country. I did not do so.

However, the Congressional Hispanic Caucus has grave concerns about bilingual education and migrant education in the manager's House bill.

In closing, Mr. Speaker, I wish we could have made more progress on these issues in the Committee on Edu-

cation and the Workforce. In fact, I wish we could have marked up Title VII in the Committee on Education and the Workforce.

However, I am hopeful that eventually the House and the Senate conferees will work to resolve differences between their respective versions of ESEA and implement these provisions.

I am going to vote for final passage for H.R. 2. But, as I said, I want to reiterate so that everyone here understands that the Congressional Hispanic Caucus is speaking for over 3½ million children and we are concerned that many of the provisions that were in our bill were not included in H.R. 2.

The concerns of the Hispanic Caucus are very important and need to be addressed in the next steps of the process.

Mr. Speaker, what are we doing here today? Are we fighting for the rights of our disadvantaged children to have a solid education—or—are we relegating them to a second-rate education?

Under this manager's amendment, the plate is full for some students, but empty for too many others. I don't believe anyone in this body can, in good conscience, support this manager's amendment to Title VII.

I have some very specific concerns with this ill-conceived manager's amendment that I'd like to share with you. But before I proceed, I first want to say "Thank you!" To my ranking members—Congressmen BILL CLAY and DALE KILDEE. Both men and their staffs valiantly attempted to negotiate a compromise that we could all support.

Unfortunately, despite their best efforts, that was not to be.

Again, thank you for your assistance.

Now, Mr. Chairman I'd like to discuss, point by point, my concerns with the manager's amendment as I also highlight the Hispanic caucus' substitute amendment to Title VII.

Concern No. one: Turning Title VII into a state formula grant. In Turning Title VII into a State formula grant, we are assured that fewer fiscal resources (which will depend on a funding trigger), will be available to educate limited English proficient children.

Currently, less than 10 percent of all children eligible for bilingual classes are being served by this title. This is shameful.

Of the 3½ million limited English proficient children in our country—and this figure is growing—only 10 percent are currently receiving Title VII services.

Title VII is the only Federal program designed for children whose native language is not English, but who will soon become English proficient given the proper professional guidance and instruction.

Mr. Speaker, with such a large projected growth in the future, we should be increasing funds and resources for this population, not trying to shirk our federal responsibility of ensuring that they receive the best education possible.

The current competitive grant structure of Title VII assures us that local schools have made a commitment to provide high quality programs for our children. These local grant applications are peer-reviewed and monitored by the U.S. Department of Education.

We think it is doubtful that local schools would maintain their commitment to educating L-E-P children if they were automatically assured of formula funding.

What very well may result is that programs with so little funding will also provide precious little to disadvantaged students.

Concern No. 2 accountability for learning. Mr. Speaker, we want to make sure that limited English proficient children are assessed in the most scientifically based manner, and the manager's amendment does not provide that flexibility.

The Hispanic caucus bill requires annual assessments in academic content areas, whereas the manager's bill merely stresses "English language acquisition" at the expense of content.

Concern No. 3: Parental involvement. The Hispanic caucus deeply regrets that the manager's amendment does not thoroughly involve the parents of limited English proficient children.

This is counter to all modern research. The Hispanic caucus bill calls for assuring that parents participate and accept responsibility for the education of their children.

The manager's idea of parental involvement is parental consent not to participate in bilingual programs.

Don't get me wrong—the caucus does not oppose parental consent as long as it improves the program. However, the manager's amendment actually prevents children from participating and receiving an equal educational opportunity.

The manager's amendment would also increase the paperwork burdens of our local schools.

And there's no assurance that limited English proficient students will receive appropriate educational services.

It is immoral to warehouse children without providing timely educational opportunities—it's wrong and it's discriminatory, and the Hispanic caucus is soundly against this proposition.

Concern No. 4: Professional development. Let me once again point out the deficiencies in the manager's amendment.

For the first time, the manager has merged four separate categories (career ladder, teachers and personnel, training for all teachers and graduate fellowships)—into one grant program. They would also reduce funds for some of these programs.

Let me highlight the four programs in professional development:

1. Career ladder—All of us are aware of the tremendous problems of teacher shortages for limited English proficient children. Career ladder programs are extremely important in shortening the time that capable teachers and assistants may participate in the classrooms. It is also an incentive for young adults to seek careers teaching limited English proficient children.

2. Teachers and personnel—Most of this section is commendable, but the participation of pupil services personnel is not assured. The manager's amendment focuses funds on teachers, while ignoring their professional peers who provide counseling and important support services which is vital to the academic success of our kids in the classroom.

3. Teacher training—The manager's amendment limits the opportunity for preservice and inservice training for instructional personnel. It is crucial that each teacher be aware of the latest research and instructional technology available to help them with limited English proficient children. Not only are local resources

curtailed, but the national professional institutes may not be able to provide the necessary training to improve the quality of professional development programs. Again, this will cripple the teacher pipeline.

4. Graduate fellowships—The managers's amendment caps funding for fellowships for masters, doctoral and postdoctoral study related to the instruction of limited English proficient children. We need professional teacher training program administration, research and evaluation and curriculum development and the support of dissertation research related to such studies. No other profession abolishes newly trained professionals, yet this request is being made by the manager's amendment.

Concern No. 5: The fate of the national bilingual education clearinghouse. The national bilingual education clearinghouse provides the latest research and instructional methodology for the use of public schools, colleges and universities throughout the United States.

The manager's amendment would eliminate thirty-plus years of research as well as a national system-wide network by suggesting that these functions be taken over by the office of education research and improvement, without any specific assurances.

This is counter to all calls for accountability where we want education and teacher training programs to use the latest education research and technology to improve classroom instruction.

Mr. Speaker, my last concern is that the manager's amendment has eliminated the Emergency Immigrant Education Act. This act is extremely important to state governors, national school boards, local school boards, principals and teachers. The emergency immigrant act has been approved the last three times we have reauthorized ESEA.

While the funds are not meeting the tremendous need for educating newly-arriving immigrants, these funds remain crucial for the initial success of these students while they learn the American system of education.

I urge all my colleagues to consider the support that you will provide to local school systems that are impacted by these children.

The Congressional Hispanic caucus amendment continues to provide equal educational opportunities for limited English proficient children, youth and adults.

This federal effort started in 1968 and thousands of children have benefitted, although millions more could have used these services.

Our children are our future, and knowledge is the ticket. I urge all my colleagues to support the Congressional Hispanic caucus substitute on title VII, listed as the Hinojosa amendment No. 25, that reauthorizes bilingual education.

Mr. Speaker, the purpose of my amendment No. 26 was to establish a national parent advisory council for migrant parents at the federal level.

I just want to toss out an interesting fact, and that is my congressional district in South Texas, along the Texas/Mexico border, has the highest concentration of migrant workers and their children than anywhere else in the country.

What exactly does this mean? My questions may sound rhetorical, but the point is, most of us have no idea what the life of a migrant worker is like, and even more of us have less of an idea of the impact this lifestyle has on the children of these workers.

At the beginning of each school year, most of us place our kids in school knowing that for the next nine months they will have a stable classroom environment—one conducive to learning. We take this for granted, but this is not the norm for migrant children who on average attend several schools a year in as many States.

Weeks of school are missed, interrupting the continuity of a student's education. Think about your own child having to make these constant adjustments.

This amendment would establish, for the first time, a national migrant parent advisory council, where migrant families would be better able to communicate their needs—language skills, reading problems, health issues, deficient housing, and other factors associated with low income—to the Secretary of Education.

This parent advisory committee would provide a national focus that transcends the geographical barriers that form the educational systems for most children. As migrant needs are national, and only national programs can meet those needs, it is crucial that this advisory committee maintain a national perspective.

Mr. Speaker, the purpose of my Amendment No. 27 was to establish a national data exchange system to be used for maintaining migrant students' academic and vital information records.

This amendment is the result of meeting with parents of migrant students; with the education personnel who serve them; and the disadvantaged who travel from one State to another from April to October.

We are all familiar with the saying, "If at first you don't succeed try, try again!"

We know that the first attempt at putting together a migrant student record transfer system was unsuccessful. But that does not mean the idea isn't important. It is. And we have to work together to provide effective services for this mobile population. The current system just doesn't work as well as it could. I've personally heard horror stories from migrant students about these children receiving 6 immunizations of the same medicine, and of being enrolled in below-grade level classes.

I am not trying to fix what ain't broke, but there is room for improvement and that is all I'm trying to do here.

We cannot just pretend migrant students don't exist—that's perpetuating the status quo.

When it comes to education, we should be long past the days of the haves versus the have-nots. We are not talking about an investment that's frivolous—my amendment would authorize \$1 million for the first two fiscal years following the effective date of this act.

These children deserve to have as high a quality education as any other child, regardless of income. All this is about is making certain these children receive the same treatment as their counterparts. You would expect this for your children, I know I would expect it for mine. Why should these migrant children be treated any differently?

As it stands now, they are treated differently—they are pretty much an afterthought. We can change that, and I hope you will support this amendment.

Mr. GOODLING. Mr. Speaker, I rise in opposition to the motion to recommit offered by the gentleman from Texas (Mr. HINOJOSA).

Mr. Speaker, I want to make sure that everybody understands that for 6 months we wanted to put together whatever legislation they had of interest. The negotiations then did not really take place until day one of the markup.

Day one of the markup I said, "Do you have something to offer?" "No, I am not ready." Day 2 of the markup, "Do you have something to offer?" "No, I am not ready." Day 3 of the markup, "Do you have something to offer?" "No, I am not ready." Day 4 of the markup, "Do you have something to offer?" "No, I am not ready."

I then said, "Please have whatever it is you are interested in ready between now and the time we go to the floor."

On Tuesday, at 3 o'clock in the afternoon of this week, I was told we have an agreement. At 9 o'clock on Tuesday evening, I was told we do not have an agreement. At 10 o'clock on Tuesday evening, I was told we do have an agreement.

So I said put what they said, and the chairman of the Caucus agreed to it, into the manager's amendment so that we have something there. So we have done everything under the sun we possibly could to accommodate.

We also had a hearing in the district of the gentleman from Texas (Mr. HINOJOSA). We also had a hearing in D.C. And we also had more time on other legislation in order to deal with the issue if there is total dissatisfaction. But we have done everything we possibly could and the ranking member has done everything he possibly could to bring about some kind of agreement.

We thought we had one. The chairman of the Caucus said we had one; and so, it was put in the manager's agreement.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. KILDEE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 358, noes 67, not voting 8, as follows:

[Roll No 526]

AYES—358

Abercrombie	Barcia	Bilbray
Ackerman	Barrett (NE)	Bilirakis
Aderholt	Barrett (WI)	Bishop
Allen	Bass	Blagojevich
Andrews	Bateman	Bliley
Armey	Bentsen	Blumenauer
Bachus	Bereuter	Boehner
Baird	Berkley	Boehner
Baldacci	Berman	Bonilla
Baldwin	Berry	Bonior
Ballenger	Biggert	Bono

Borski
 Boswell
 Boucher
 Boyd
 Brady (PA)
 Brady (TX)
 Brown (FL)
 Brown (OH)
 Bryant
 Burr
 Buyer
 Callahan
 Calvert
 Canady
 Capps
 Capuano
 Cardin
 Carson
 Castle
 Chabot
 Chambliss
 Clay
 Clayton
 Clement
 Clyburn
 Collins
 Combest
 Condit
 Conyers
 Cook
 Cooksey
 Costello
 Coyne
 Cramer
 Crowley
 Cummings
 Cunningham
 Danner
 Davis (FL)
 Davis (IL)
 Deal
 DeFazio
 DeGette
 Delahunt
 DeLauro
 DeLay
 Deutsch
 Diaz-Balart
 Dickey
 Dicks
 Dingell
 Dixon
 Doggett
 Dooley
 Doyle
 Dreier
 Dunn
 Edwards
 Ehlers
 Ehrlich
 Emerson
 Engel
 English
 Eshoo
 Etheridge
 Evans
 Everett
 Farr
 Fattah
 Filner
 Fletcher
 Foley
 Forbes
 Ford
 Fossella
 Fowler
 Frank (MA)
 Franks (NJ)
 Frelinghuysen
 Frost
 Gallegly
 Ganske
 Gejdenson
 Gekas
 Gephardt
 Gibbons
 Gilchrest
 Gillmor
 Gilman
 Goode
 Goodlatte
 Goodling
 Gordon
 Goss
 Graham
 Granger
 Green (TX)
 Green (WI)
 Greenwood

Gutierrez
 Hall (OH)
 Hall (TX)
 Hansen
 Hastings (FL)
 Hastings (WA)
 Hayes
 Hill (IN)
 Hill (MT)
 Hilleary
 Hilliard
 Hinchey
 Hinojosa
 Hobson
 Hoefel
 Holden
 Holt
 Hooley
 Horn
 Hostettler
 Houghton
 Hoyer
 Hulshof
 Hutchinson
 Inslee
 Isakson
 Jackson (IL)
 John
 Johnson (CT)
 Johnson, E. B.
 Johnson, Sam
 Jones (OH)
 Kanjorski
 Kaptur
 Kasich
 Kelly
 Kennedy
 Kildee
 Kilpatrick
 Kind (WI)
 King (NY)
 Kingston
 Kleczka
 Klink
 Knollenberg
 Kolbe
 Kucinich
 Kuykendall
 LaFalce
 Lampson
 Lantos
 Larson
 Latham
 LaTourrette
 Lazio
 Leach
 Levin
 Lewis (CA)
 Lewis (GA)
 Lewis (KY)
 Linder
 Lipinski
 LoBiondo
 Lofgren
 Lowey
 Lucas (KY)
 Lucas (OK)
 Luther
 Maloney (CT)
 Maloney (NY)
 Markey
 Martinez
 Mascara
 Matsui
 McCollum
 McCrery
 McDermott
 McGovern
 McHugh
 McIntosh
 McIntyre
 McKeon
 McKinney
 McNulty
 Meehan
 Meek (FL)
 Meeks (NY)
 Menendez
 Mica
 Millender-
 McDonald
 Miller, Gary
 Miller, George
 Minge
 Mink
 Moakley
 Mollohan
 Moore
 Moran (VA)

Morella
 Murtha
 Nadler
 Napolitano
 Neal
 Nethercutt
 Ney
 Northup
 Norwood
 Nussle
 Oberstar
 Obey
 Olver
 Ortiz
 Ose
 Owens
 Oxley
 Packard
 Pallone
 Pascrell
 Pastor
 Pease
 Pelosi
 Peterson (MN)
 Peterson (PA)
 Petri
 Phelps
 Pickering
 Pickett
 Pomeroy
 Porter
 Portman
 Price (NC)
 Pryce (OH)
 Quinn
 Rahall
 Ramstad
 Regula
 Reyes
 Reynolds
 Riley
 Rivers
 Roemer
 Rogan
 Rogers
 Ros-Lehtinen
 Rothman
 Roukema
 Rush
 Ryan (WI)
 Sabo
 Sanchez
 Sanders
 Sandlin
 Sawyer
 Saxton
 Schakowsky
 Scott
 Serrano
 Shaw
 Shays
 Sherman
 Sherwood
 Shimkus
 Shows
 Shuster
 Simpson
 Sisisky
 Skeen
 Skelton
 Slaughter
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snyder
 Spence
 Spratt
 Stabenow
 Stark
 Stenholm
 Strickland
 Stupak
 Sweeney
 Talent
 Tanner
 Tauscher
 Tauzin
 Taylor (MS)
 Terry
 Thomas
 Thompson (CA)
 Thompson (MS)
 Thornberry
 Thune
 Thurman
 Tierney
 Towns
 Traficant

Turner
 Udall (CO)
 Udall (NM)
 Upton
 Velazquez
 Vento
 Visclosky
 Vitter
 Walden
 Walsh

Watkins
 Watt (NC)
 Watts (OK)
 Waxman
 Weiner
 Weldon (FL)
 Weldon (PA)
 Weller
 Wexler
 Weygand

Whitfield
 Wilson
 Wise
 Wolf
 Woolsey
 Wu
 Wynn
 Young (AK)
 Young (FL)

NOES—67

Archer
 Baker
 Barr
 Bartlett
 Barton
 Bechler
 Blunt
 Burton
 Campbell
 Cannon
 Chenoweth-Hage
 Coble
 Coburn
 Cox
 Crane
 Cubin
 DeMint
 Doolittle
 Duncan
 Ewing
 Gonzalez
 Gutknecht
 Hayworth

Hefley
 Herger
 Hoekstra
 Hunter
 Hyde
 Istook
 Jones (NC)
 LaHood
 Largent
 Lee
 Manzanillo
 McClintock
 Metcalf
 Miller (FL)
 Moran (KS)
 Myrick
 Paul
 Payne
 Pitts
 Pombo
 Radanovich
 Rodriguez
 Rohrabacher

Roybal-Allard
 Royce
 Ryan (KS)
 Salmon
 Sanford
 Schaffer
 Sensenbrenner
 Sessions
 Shadegg
 Smith (MI)
 Souder
 Stearns
 Stump
 Sununu
 Tancredo
 Taylor (NC)
 Tiahrt
 Toomey
 Wamp
 Waters
 Wicker

NOT VOTING—8

Camp
 Davis (VA)
 Jackson-Lee
 (TX)

Jefferson
 Jenkins
 McCarthy (MO)
 McCarthy (NY)

Scarborough

□ 1542

Ms. ROYBAL-ALLARD and Mr. MCINNIS changed their vote from "aye" to "no."

So the bill was passed. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DAVIS of Virginia. Mr. Speaker, I was standing in the well of the House before the vote was announced and the machine did not work. I would have voted "aye" on the last vote.

Mr. JENKINS. Mr. Speaker, on rollcall No. 526, I was away from the House Chamber attending an education press conference with other members of the House of Representatives and an eighth grade class and faculty from Rogersville, TN. city schools. Had I been present, I would have voted "yes."

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN EN-GROSSMENT OF H.R. 2, STUDENT RESULTS ACT OF 1999

Mr. DEAL of Georgia. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 2, that the Clerk be authorized to make technical corrections and conforming changes to the bill.

The SPEAKER pro tempore (Mr. SHIMKUS). Is there objection to the request of the gentleman from Georgia?

There was no objection.

AMENDMENT PROCESS FOR H.R. 1987, FAIR ACCESS TO INDEMNITY AND REIMBURSEMENT ACT

Mr. HASTINGS of Washington. Mr. Speaker, this afternoon a "Dear Col-

league" will be sent to all Members informing them that the Committee on Rules is planning to meet the week of October 25 to grant a rule for consideration of H.R. 1987, the Fair Access to Indemnity and Reimbursement Act.

The Committee on Rules may grant a rule which will require that amendments be preprinted in the CONGRESSIONAL RECORD. In this case, amendments must be preprinted prior to consideration of the bill on the floor.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House.

CONFERENCE REPORT ON H.R. 2466, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 337 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 337

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

□ 1545

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, H. Res. 337 would grant a rule waiving all points of order against the conference report to accompany H.R. 2466, the Department of Interior and Related Agencies Appropriation Act for Fiscal Year 2000 and against its consideration. The rule further provides that the conference report shall be considered as read.

Mr. Speaker, the conference report to accompany H.R. 2466 appropriates \$14.5 billion in new fiscal year 2000 budget authority, which is 599 million more than the House-passed bill and 236 million more than the fiscal year 1999 level; but it is 732 million less than the President's request.