

105TH CONGRESS  
1ST SESSION

# H. RES. 214

Expressing the sense of the House of Representatives that the Department of Education should suspend any and all planning, development, implementation, or administration of any national testing proposal in reading, mathematics, or any other subject area until Congress provides specific, explicit statutory authority.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 1997

Mr. GOODLING (for himself, Mr. BOEHNER, Mr. PETRI, Mr. OWENS, Mr. BALLENGER, Mr. BARRETT of Nebraska, Mr. HOEKSTRA, Mr. McKEON, Mr. SAM JOHNSON of Texas, Mr. GREENWOOD, Mr. GRAHAM, Mr. McINTOSH, Mr. NORWOOD, Mr. PAUL, Mr. BOB SCHAFER of Colorado, Mr. PETERSON of Pennsylvania, Mr. DEAL of Georgia, Mr. HILLEARY, Mr. SCARBOROUGH, Mr. GOODE, Mr. HEFLEY, Mr. KINGSTON, and Mr. CHAMBLISS) submitted the following resolution; which was referred to the Committee on Education and the Workforce

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## RESOLUTION

Expressing the sense of the House of Representatives that the Department of Education should suspend any and all planning, development, implementation, or administration of any national testing proposal in reading, mathematics, or any other subject area until Congress provides specific, explicit statutory authority.

Whereas President Clinton first announced on February 4, 1997, his plan to develop and implement national tests for reading at grade 4 and mathematics at grade 8;

Whereas during the period between February and May 1997, the Department of Education has moved ahead expeditiously to begin the process for developing the tests, without specific, explicit statutory authority;

Whereas the Department of Education has proceeded to publish a Request for Proposal on April 25, 1997, for contractual assistance for development of the tests and intends to sign contracts on or after June 24, 1997, for such test development;

Whereas the Department of Education has stated that it intends to spend, for test development, up to \$12,000,000 in each of 1997 and 1998 from the Fund for the Improvement of Education authorized in part A of title X of the Elementary and Secondary Education Act of 1965;

Whereas the Fund for the Improvement of Education provides no specific, explicit authority for the Department of Education to develop or implement national tests;

Whereas the legislative history of the Fund for the Improvement of Education does not mention or indicate any intention to establish national testing;

Whereas the language of section 10101(b)(1)(A) of the Elementary and Secondary Education Act of 1965 (relating to the Fund for the Improvement of Education) provides authority merely for the “development and evaluation of model strategies for assessment of student learning” rather than authority for the development of actual national assessments or tests;

Whereas the language of section 10101(b)(1)(A) of the Elementary and Secondary Education Act of 1965 (relating to the Fund for the Improvement of Education) is intended to apply to the support of State and local edu-

cation activities, rather than national test development activities;

Whereas, by contrast, the 1994 changes to the National Assessment of Educational Progress (NAEP) (20 U.S.C. 9010(c)) came about after extensive congressional consultations, 6 hearings over a 21-month period, and the development of specific and explicit legislative language;

Whereas the tests developed by NAEP protect the confidentiality of personally identifiable information about students, their educational performance, and information about individual schools, the same statutory protections are not provided for in the Clinton Administration's testing program;

Whereas, given the magnitude of the Administration's national testing proposal and its policy implications, the Department of Education, at a minimum, should send to Congress a bill specifically and explicitly providing for such testing; and

Whereas full and open debate of such a bill in Congress would provide opportunity for the American people to be heard through the normal legislative process: Now, therefore, be it

1       *Resolved*, That it is the sense of the House of Rep-  
 2       resentatives that the Department of Education should not  
 3       expend funds in fiscal year 1997 or in any subsequent year  
 4       for the planning, development, implementation, or admin-  
 5       istration of any national testing proposal in reading, math-

- 1 ematics, or any other subject area until such time as Con-
- 2 gress provides specific, explicit statutory authority.

