

limit, especially as applied to state administration, will place severe burdens on already strained state education budgets and will result in an enormous federally unfunded mandate.

IDEA is a highly prescriptive law requiring vigilant state monitoring and evaluation to ensure disabled students are receiving all appropriate educational services. The new mandates will create even more administrative and oversight responsibilities for state education agencies (SEAs), while at the same time significantly decreasing the federal funds necessary to carry out such functions. Because of the artificial limits placed on the states' administrative share, the excess costs of administering the programs, distributing grants and ensuring local education agency (LEA) compliance with the law will be borne solely by the SEA.

In addition, the proposed legislation directs the states to implement the following new programs: (1) Include disabled students in all state-wide assessments by 1998 and to develop alternatives for students unable to participate in regular exams by the year 2000. (At the very least, this mandate will increase state assessment costs by 12%, the national average of disabled students in the general school population); (2) Establish and operate a mediation system for use by LEAs and parents; (3) Develop and implement state performance goals and indicators for disabled students.

The states are responsible for all of the costs incurred by creating and maintaining the above programs. The federal government is providing absolutely no new financial assistance to help offset these expenses.

The reduction of the state set-aside severely undermines the historic federal, state and local partnership and 20-year old cost-sharing arrangement that have worked so well in delivering a free, appropriate public education to disabled students. We urge you to amend the IDEA compromise agreement by allowing funding increases of up to 5% annually for state administration.

Sincerely,

BRENDA L. WELBURN,
Executive Director.

Mr. GILMAN. Mr. Speaker, I rise today in support of the Individuals With Disabilities Education Improvement Act, H.R. 5, and commend its sponsor, the distinguished chairman of the Committee on Education and the Workforce, Mr. GOODLING, and the chairman of the Subcommittee on Early Childhood, Youth and Families, Mr. RIGGS, for their diligent work in bringing this important bipartisan legislation to the floor.

This measure effectively incorporates numerous initiatives that have been proposed by educators and school board members in my district. This bill seeks to give the classroom teacher the ability to maintain adequate discipline with regard to special education students. While previous law prohibited a school from suspending or expelling a disabled student for more than 10 days, except in the situation where the student has brought a gun to school, this bill provides for removal to an alternative placement for students who bring weapons to school, bring illegal drugs to school, or illegally distribute drugs in schools, students who engage in assault or battery and students, who by proof of substantial evidence present a danger to himself or others. I believe that this bill effectively addresses that issue of classroom safety, while still maintaining protection for the students against arbitrary placement changes.

Furthermore, this measure requires States to make mediation available to school authori-

ties and parents who disagree over a disabled student's educational plan, instead of forcing the parties to move their dispute into the court. It is our hope that an increase in the use of mediation will reduce the acrimony involved in these disputes and will save money that has in the past been spent on attorney fees. Furthermore, it is my hope that the new formula changes phased in over 10 years will reduce overidentification and promote the effective use of government resources.

Accordingly, Mr. Speaker, I urge my colleagues to support this worthy measure to reform our Nation's special education programs.

Mr. GOODLATTE. Mr. Speaker, I want to first congratulate the chairman on his dedication to this important issue and his hard work toward crafting a bill that will help schools improve the quality of education for students with disabilities.

This bill includes a number of provisions that I strongly support. It streamlines and consolidates the requirements that States must meet for individualized education plans, allows parents to participate in all IEP decisions, guarantees that parents have access to all records relating to their children, and includes a number of provisions to limit attorney's fees and reduce litigation.

While I support most of the provisions in this bill, I am deeply concerned that in an effort to reach a compromise with the administration, this bill includes language that tramples the rights of States and localities to ensure safety and discipline in their classrooms.

The bill includes a provision that effectively overturns a recent Federal Appeals Court decision allowing States to suspend or expel disabled students for criminal or other serious misconduct when the action is unrelated to their disability. The administration's policy, which not only exceeds the mandate of IDEA, sets a glaring double standard by establishing two discipline codes—one for disabled students and another for nondisabled students. Including this provision in the bill ties the hands of States and localities when it comes to effectively disciplining students.

While I believe that the overall bill is good for disabled students, good for parents and teachers, and good for the American taxpayers, it would have been a great deal better had this provision not been included. With that, I yield back the balance of my time.

Mr. GOODLING. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. GOODLING] that the House suspend the rules and pass the bill, H.R. 5, as amended.

The question was taken.

Mr. GOODLING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

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. 5.

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

There was no objection.

CONCURRING IN SENATE AMENDMENT TO H.R. 914, TECHNICAL CORRECTIONS IN HIGHER EDUCATION ACT, WITH AMENDMENTS

Mr. McKEON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 145) providing for the concurrence of the House with the amendment of the Senate to H.R. 914, with amendments.

The Clerk read as follows:

H. RES. 145

Resolved, That upon the adoption of this resolution the bill (H.R. 914), to make certain technical corrections in the Higher Education Act of 1965 relating to graduation data disclosures, shall be considered to have been taken from the Speaker's table to the end that the Senate amendments thereto be, and the same are hereby, agreed to with amendments as follows:

Insert before section 1 the following:

TITLE I—TECHNICAL AMENDMENTS

Redesignate sections 1 through 5 as sections 101 through 105, and at the end of the bill add the following:

SEC. 106. PAYMENTS RELATING TO FEDERAL PROPERTY.

Section 8002(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(i)) is amended to read as follows:

“(i) PRIORITY PAYMENTS.—

“(1) IN GENERAL.—Notwithstanding subsection (b)(1)(B), and for any fiscal year beginning with fiscal year 1997 for which the amount appropriated to carry out this section exceeds the amount so appropriated for fiscal year 1996—

“(A) the Secretary shall first use the excess amount (not to exceed the amount equal to the difference of (i) the amount appropriated to carry out this section for fiscal year 1997, and (ii) the amount appropriated to carry out this section for fiscal year 1996) to increase the payment that would otherwise be made under this section to not more than 50 percent of the maximum amount determined under subsection (b) for any local educational agency described in paragraph (2); and

“(B) the Secretary shall use the remainder of the excess amount to increase the payments to each eligible local educational agency under this section.

“(2) LOCAL EDUCATIONAL AGENCY DESCRIBED.—A local educational agency described in this paragraph is a local educational agency that—

“(A) received a payment under this section for fiscal year 1996;

“(B) serves a school district that contains all or a portion of a United States military academy;

“(C) serves a school district in which the local tax assessor has certified that at least 60 percent of the real property is federally owned; and

“(D) demonstrates to the satisfaction of the Secretary that such agency's per-pupil revenue derived from local sources for current expenditures is not less than that revenue for the preceding fiscal year.”.

TITLE II—COST OF HIGHER EDUCATION REVIEW

SEC. 201. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the “Cost of Higher Education Review Act of 1997”.

(b) FINDINGS.—The Congress finds the following:

(1) According to a report issued by the General Accounting Office, tuition at 4-year public colleges and universities increased 234 percent from school year 1980–1981 through school year 1994–1995, while median household income rose 82 percent and the cost of consumer goods as measured by the Consumer Price Index rose 74 percent over the same time period.

(2) A 1995 survey of college freshmen found that concern about college affordability was the highest it has been in the last 30 years.

(3) Paying for a college education now ranks as one of the most costly investments for American families.

SEC. 202. ESTABLISHMENT OF NATIONAL COMMISSION ON THE COST OF HIGHER EDUCATION.

There is established a Commission to be known as the "National Commission on the Cost of Higher Education" (hereafter in this Act referred to as the "Commission").

SEC. 203. MEMBERSHIP OF COMMISSION.

(a) APPOINTMENT.—The Commission shall be composed of 7 members as follows:

(1) Two individuals shall be appointed by the Speaker of the House.

(2) One individual shall be appointed by the Minority Leader of the House.

(3) Two individuals shall be appointed by the Majority Leader of the Senate.

(4) One individual shall be appointed by the Minority Leader of the Senate.

(5) One individual shall be appointed by the Secretary of Education.

(b) ADDITIONAL QUALIFICATIONS.—Each of the individuals appointed under subsection (a) shall be an individual with expertise and experience in higher education finance (including the financing of State institutions of higher education), Federal financial aid programs, education economics research, public or private higher education administration, or business executives who have managed successful cost reduction programs.

(c) CHAIRPERSON AND VICE CHAIRPERSON.—The members of the Commission shall elect a Chairperson and a Vice Chairperson. In the absence of the Chairperson, the Vice Chairperson will assume the duties of the Chairperson.

(d) QUORUM.—A majority of the members of the Commission shall constitute a quorum for the transaction of business.

(e) APPOINTMENTS.—All appointments under subsection (a) shall be made within 30 days after the date of enactment of this Act. In the event that an officer authorized to make an appointment under subsection (a) has not made such appointment within such 30 days, the appointment may be made for such officer as follows:

(1) The Chairman of the Committee on Education and the Workforce may act under such subsection for the Speaker of the House of Representatives.

(2) The Ranking Minority Member of the Committee on Education and the Workforce may act under such subsection for the Minority Leader of the House of Representatives.

(3) The Chairman of the Committee on Labor and Human Resources may act under such subsection for the Majority Leader of the Senate.

(4) The Ranking Minority Member of the Committee on Labor and Human Resources may act under such subsection for the Minority Leader of the Senate.

(f) VOTING.—Each member of the Commission shall be entitled to one vote, which shall be equal to the vote of every other member of the Commission.

(g) VACANCIES.—Any vacancy on the Commission shall not affect its powers, but shall

be filled in the manner in which the original appointment was made.

(h) PROHIBITION OF ADDITIONAL PAY.—Members of the Commission shall receive no additional pay, allowances, or benefits by reason of their service on the Commission. Members appointed from among private citizens of the United States may be allowed travel expenses, including per diem, in lieu of subsistence, as authorized by law for persons serving intermittently in the government service to the extent funds are available for such expenses.

(i) INITIAL MEETING.—The initial meeting of the Commission shall occur within 40 days after the date of enactment of this Act.

SEC. 204. FUNCTIONS OF COMMISSION.

(a) SPECIFIC FINDINGS AND RECOMMENDATIONS.—The Commission shall study and make findings and specific recommendations regarding the following:

(1) The increase in tuition compared with other commodities and services.

(2) Innovative methods of reducing or stabilizing tuition.

(3) Trends in college and university administrative costs, including administrative staffing, ratio of administrative staff to instructors, ratio of administrative staff to students, remuneration of administrative staff, and remuneration of college and university presidents or chancellors.

(4) Trends in (A) faculty workload and remuneration (including the use of adjunct faculty), (B) faculty-to-student ratios, (C) number of hours spent in the classroom by faculty, and (D) tenure practices, and the impact of such trends on tuition.

(5) Trends in (A) the construction and renovation of academic and other collegiate facilities, and (B) the modernization of facilities to access and utilize new technologies, and the impact of such trends on tuition.

(6) The extent to which increases in institutional financial aid and tuition discounting have affected tuition increases, including the demographics of students receiving such aid, the extent to which such aid is provided to students with limited need in order to attract such students to particular institutions or major fields of study, and the extent to which Federal financial aid, including loan aid, has been used to offset such increases.

(7) The extent to which Federal, State, and local laws, regulations, or other mandates contribute to increasing tuition, and recommendations on reducing those mandates.

(8) The establishment of a mechanism for a more timely and widespread distribution of data on tuition trends and other costs of operating colleges and universities.

(9) The extent to which student financial aid programs have contributed to changes in tuition.

(10) Trends in State fiscal policies that have affected college costs.

(11) The adequacy of existing Federal and State financial aid programs in meeting the costs of attending colleges and universities.

(12) Other related topics determined to be appropriate by the Commission.

(b) FINAL REPORT.—

(1) IN GENERAL.—Subject to paragraph (2), the Commission shall submit to the President and to the Congress, not later than 120 days after the date of the first meeting of the Commission, a report which shall contain a detailed statement of the findings and conclusions of the Commission, including the Commission's recommendations for administrative and legislative action that the Commission considers advisable.

(2) MAJORITY VOTE REQUIRED FOR RECOMMENDATIONS.—Any recommendation described in paragraph (1) shall be made by the Commission to the President and to the Con-

gress only if such recommendation is adopted by a majority vote of the members of the Commission who are present and voting.

(3) EVALUATION OF DIFFERENT CIRCUMSTANCES.—In making any findings under subsection (a) of this section, the Commission shall take into account differences between public and private colleges and universities, the length of the academic program, the size of the institution's student population, and the availability of the institution's resources, including the size of the institution's endowment.

SEC. 205. POWERS OF COMMISSION.

(a) HEARINGS.—The Commission may, for the purpose of carrying out this Act, hold such hearings and sit and act at such times and places, as the Commission may find advisable.

(b) RULES AND REGULATIONS.—The Commission may adopt such rules and regulations as may be necessary to establish the Commission's procedures and to govern the manner of the Commission's operations, organization, and personnel.

(c) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) INFORMATION.—The Commission may request from the head of any Federal agency or instrumentality such information as the Commission may require for the purpose of this Act. Each such agency or instrumentality shall, to the extent permitted by law and subject to the exceptions set forth in section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), furnish such information to the Commission, upon request made by the Chairperson of the Commission.

(2) FACILITIES AND SERVICES, PERSONNEL DETAIL AUTHORIZED.—Upon request of the Chairperson of the Commission, the head of any Federal agency or instrumentality shall, to the extent possible and subject to the discretion of such head—

(A) make any of the facilities and services of such agency or instrumentality available to the Commission; and

(B) detail any of the personnel of such agency or instrumentality to the Commission, on a nonreimbursable basis, to assist the Commission in carrying out the Commission's duties under this Act.

(d) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other Federal agencies.

(e) CONTRACTING.—The Commission, to such extent and in such amounts as are provided in appropriation Acts, may enter into contracts with State agencies, private firms, institutions, and individuals for the purpose of conducting research or surveys necessary to enable the Commission to discharge the Commission's duties under this Act.

(f) STAFF.—Subject to such rules and regulations as may be adopted by the Commission, and to such extent and in such amounts as are provided in appropriation Acts, the Chairperson of the Commission shall have the power to appoint, terminate, and fix the compensation (without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, or of any other provision, or of any other provision of law, relating to the number, classification, and General Schedule rates) of an Executive Director, and of such additional staff as the Chairperson deems advisable to assist the Commission, at rates not to exceed a rate equal to the maximum rate for level IV of the Executive Schedule under section 5332 of such title.

SEC. 206. EXPENSES OF COMMISSION.

There are authorized to be appropriated to pay any expenses of the Commission such

sums as may be necessary not to exceed \$650,000. Any sums appropriated for such purposes are authorized to remain available until expended, or until one year after the termination of the Commission pursuant to section 207, whichever occurs first.

SEC. 207. TERMINATION OF COMMISSION.

The Commission shall cease to exist on the date that is 60 days after the date on which the Commission is required to submit its final report in accordance with section 204(b).

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to the rule, the gentleman from California [Mr. MCKEON] and the gentleman from Michigan [Mr. KILDEE] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. MCKEON].

Mr. MCKEON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 914. H.R. 914 was originally passed by the House of Representatives on March 11, 1997, under suspension of the rules. It made two simple amendments to the student right to know provisions of the Higher Education Act. These amendments changed the date for which schools had to report graduation rates in order to lessen the reporting requirements faced by schools while improving the quality of information that students would receive.

On April 16, 1997, the Senate passed H.R. 914 after adding impact aid technical amendments to the legislation. Those amendments would: extend the deadline for filing for equalized States which deduct impact aid revenue in their computation of general State aid for education; extend the hold harmless for section 8002 payments for property to cover fiscal years 1997 through the year 2000; and add expenditure data as a factor to be considered when determining a school district's financial profile under the section of the law, 8003(f), dealing with heavily impacted school districts.

Today, we are again considering H.R. 914 under suspension of the rules. The legislation before us today includes the impact aid technical amendments passed by the other body and one additional impact aid technical amendment added by the House to clarify that appropriations over and above the amount appropriated for section 8002 for fiscal year 1997 are to be distributed to all eligible school districts. However, it also includes one more very important piece of legislation. H.R. 914, as it is before us today, includes the Cost of Higher Education Review Act of 1997. I would like to focus my remarks on these very important provisions.

In today's technology and information-based economy, getting a high quality postsecondary education is more important than ever. For many Americans it is the key to the American dream.

Let me tell my colleagues how I see higher education in the future. I would hope that men and women, young and old, will have access to postsecondary

education when they need it. Some would go to college for undergraduate or graduate degrees. Others would choose to go to school or go back to school for much shorter periods of time in order to improve or upgrade their schools for a better job and a better future. Many could just take a class or two from home over the Internet. But I want to see every American who so chooses have the option of receiving a quality education at an affordable price.

As my colleagues know, the Subcommittee on Postsecondary Education, Training and Life-Long Learning has already begun the process of reauthorizing the Higher Education Act, which will provide \$35 billion in student financial aid this year alone. We have been holding hearings around the country on the reauthorization of the Higher Education Act, and a consistent question we get from students and parents is why is college so expensive and why are college prices rising so quickly.

However, my interest in higher education goes well beyond the role I play as chairman of that subcommittee. I am a parent and a grandparent, and I know students who are pursuing or will pursue a postsecondary education. I have constituents, students and parents, who are worried about their abilities to afford a college education.

Historically, the cost of getting a postsecondary education has increased at a rate slightly above the cost of living. However, a recent General Accounting Office report tells us that over the last 15 years the price of attending a 4-year public college has increased over 234 percent while the median household income has risen by only 82 percent and the CPI only 74 percent. A recent survey of college freshmen found that concern over college affordability is at a 30-year high. Parents and students across the country are understandably worried about the rising cost of higher education.

In order to control the cost of obtaining a postsecondary education, parents, students, and policymakers must work together with colleges and universities to slow tuition inflation, or for many Americans college will become unaffordable.

That is not to say that there are not affordable schools. There are some affordable schools and there are college presidents who are committed to keeping costs low. There are schools that are trying very innovative things to reduce tuition prices.

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However, the trend in higher education pricing is truly alarming. This trend is especially alarming in that it only seems to apply to higher education. There are many endeavors and many businesses that must keep pace with changing technologies and Federal regulations. However, in order to stay affordable to their customers and stay competitive in the market, they

manage to hold cost increases to a reasonable level.

The Cost of Higher Education Review Act contained in H.R. 914 will establish a commission on the cost of higher education. This commission will have a very short life span. Over a 4-month period the commission will study the reasons why tuitions have risen so quickly and dramatically, and report on what schools, the administration and the Congress can do to stabilize or reduce tuitions.

There is a great deal of conflicting information around the country with respect to college costs. This commission will be comprised of seven individuals with expertise in business and business cost reduction programs, economics, and education administration. Their job will be to analyze this information and give us a true picture of why costs continue to outpace inflation and what can be done to stop this trend.

Members of the commission will be appointed by the House and Senate leadership and the Secretary of Education. The commission will have 4 months to perform its duties. The commission will then sunset within 2 months of finishing its job. The cost for this commission will not exceed \$650,000.

Mr. Speaker, as I noted earlier, this year we will be reauthorizing the Higher Education Act, which will provide \$35 billion this year alone in Federal student financial aid. As we go through this process, our goals will be to make higher education more affordable, simplify the student aid system, and stress academic quality.

In order to update and improve the Higher Education Act in a way that truly helps parents and students, a thorough understanding of tuition trends will be essential. The Cost of Higher Education Review Act will give us that information and shed light on a topic which is of utmost concern to our constituents. I urge my colleagues to join me in this effort, and I urge a "yes" vote on H.R. 914.

Mr. Speaker, I reserve the balance of my time.

Mr. KILDEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, at the hearing on the costs of higher education, I expressed deep concern over the rising costs of a college education. At that time I also expressed concern that we avoid Federal intrusion into the day-to-day operations of American higher education. As I see it, our job is to work with our colleges as they, and not we, seek to bring costs under control. I do not believe that the American people want the Federal Government to step into the management of our colleges and universities, and I for one would oppose any such move.

I voted to report this legislation out of committee and shall vote for its passage today. I do so, however, with both concerns and misgivings.

I believe, for example, that the executive branch should have equal representation on the commission. Examining the costs of a college education is not a partisan issue, and I fear that not giving the executive branch equal participation gives the commission a possible partisan tinge it should not have.

I also believe that we are asking the commission to issue a final report in too short a time. The issues to be addressed by the commission are very complex, and I am not at all sure that we can get the substantive answers we are seeking in a 4-month period.

Despite these and other reservations, Mr. Speaker, I am willing to give the gentleman from California [Mr. McKEON], my very good friend, and chairman of the Subcommittee on Postsecondary Education, Training and Life-Long Learning, the benefit of the doubt, and not to oppose adding this legislation to H.R. 914.

Mr. Speaker, I reserve the balance of my time.

Mr. McKEON. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. GOODLING], the chairman of the full committee.

Mr. GOODLING. I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in support of H.R. 914, which makes a technical correction to the student right-to-know provisions of the Higher Education Act, includes technical amendments to the impact aid program, and authorizes the timely creation of a commission to review the costs of higher education.

The House passed the technical amendments to the student right-to-know provision of the Higher Education Act in March. The Senate then added several amendments dealing with impact aid funds.

The first provision amends the provisions of the impact aid law dealing with equalized States. Current law requires such States to file notices of intent to deduct impact aid revenue in their computation of general State aid by March 3, 1997. Several States missed the filing deadline, and the Department of Education does not have the authority to waive the statutory filing deadline. This amendment provides such authority, but I would caution States, all 50, not to miss the deadline again. It is entirely too expensive for States to take that risk.

The second amendment extends the hold-harmless provision for section 8002, Federal property payments, to cover fiscal years 1997 through 2000. Due to a formula change in the 1994 Improving America's Schools Act, the Department of Education has not been able to determine exact payments. Extending the hold-harmless at the fiscal year 1997 level through fiscal year 2000 will allow this issue to be reviewed as part of the next review of the Elementary and Secondary Education Act.

The third amendment adds an important factor to a school district's financial profile for purposes of payments to heavily impacted school districts. Dur-

ing the 104th Congress, we modified this section to allow schools to use data from 2 years prior instead of relying on current year data which delayed payments for an extended period of time. However, in revising this section, the use of expenditure data was not included accidentally. This provision simply adds that expenditure data to the financial pool.

These are the impact aid changes contained in the Senate bill. One additional technical amendment has been added, and this amendment clarifies that funds over and above the amount necessary to ensure that the Highland Falls School District receives at least one-half of the amount they would receive under section 8002 if the program was fully funded is to be distributed to all eligible school districts.

In addition to the impact aid amendments, we have added language from H.R. 1511 which the Committee on Education and the Workforce reported last week. The language we have included authorizes the creation of a commission to review college costs. This bipartisan effort reflects a common goal of Members of this body. We want college to be affordable for students and families across the country.

The only answer we keep getting from the college presidents and university presidents is that they have to increase their costs because they keep giving more money of their own to students in need. That is called sticker price and discount price. I do not know what role we play in that on the Federal level. All I know is that when one college eliminated their discounted price and stuck to their sticker price, they lowered tuition for everybody, and in doing that, they had more students than they had room for. I think all colleges can take a hint.

I am happy to see that we are finding that they are getting costs under control. I believe they are down closer to 6 and 7 percent. I think they can still do better.

Mrs. KELLY. Mr. Speaker, will the gentleman yield?

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

Mrs. KELLY. Mr. Speaker, could the gentleman from Pennsylvania [Mr. GOODLING], the chairman of the full committee, clarify the intent of section 106? Am I correct in understanding that this section merely clarifies that the difference in funding for section 8002 between the amount appropriated in fiscal years 1996 and 1997 will first be used to pay 50 percent of the maximum amount for any school district described in paragraph 2 of section 8002(i), and that any remaining funds plus any additional amounts appropriated for fiscal year 1998 and succeeding years will then be distributed to increase payments to other school districts which qualify under 8002?

Mr. GOODLING. The gentleman is correct. Section 106 of the bill amends section 8002(i) of the Elementary and Secondary Education Act to clarify

that, beginning in the fiscal year 1997, priority payments for amounts appropriated above the appropriated level for section 8002 for 1996 shall be made to a local education agency which meets certain specified criteria, not to exceed 50 percent of their maximum payment. The Secretary shall then use any funds in excess of this amount, plus any additional amounts appropriated for fiscal year 1998 and succeeding years to increase payments to each eligible school educational agency under this section.

Mrs. KELLY. This section will in no way result in any reductions in funding to the local education agency described in paragraph 2 of section 8002(i)?

Mr. GOODLING. The gentleman is correct. The only way such payments would be reduced would be if appropriations fell to or below the amount appropriated in 1996.

Mrs. KELLY. With that understanding, I thank the gentleman.

Mr. KILDEE. Mr. Speaker, I yield 2 minutes to the gentleman from Guam [Mr. UNDERWOOD].

Mr. UNDERWOOD. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in support of H.R. 914 and in particular the inclusion of H.R. 1511 which establishes a commission to study the costs of higher education.

As pointed out by the chairman, a recently released GAO report found that the price of a 4-year public institution has increased by 234 percent in the past 15 years. I urge Members to support this commission so that as a body we are well informed about the many factors which contribute to the increased price of college.

As a former college administrator, I can tell my colleagues that the issues surrounding the price of tuition are complex and establishing a commission dedicated to studying this issue will be very helpful. More importantly, this commission will report back to Congress and the administration to provide suggestions on how to stabilize tuition rates. Many proposals have come forth from this Congress to help families pay for these increasing costs, but few if any have attempted to deal directly with the institutions themselves. It is at the institutional level rather than in the Tax Code that I believe this problem will be successfully addressed. Extravagant tuition increases become not only an economic problem for individual families but a social problem for entire communities and our Nation as a whole. When tuition increases as drastically as it has, more and more students are left behind, students who otherwise would be attending college. If the current trend continues, only the very wealthy will be able to afford college and lower income families will not have the educational tools with which to compete in the work force of the 21st century, and we will all suffer. The commission will cost relatively little and provide valuable information which will help us address this growing

problem. I urge my colleagues to support the bill.

As a former college administrator, I can help explain these tuition costs as needed and justifiable. As a parent, I feel helpless on the onslaught of tuition increases beyond inflation. But as Members of Congress, we must respond intelligently to this situation which impacts on our growth, and this legislation does exactly that.

Mr. MCKEON. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska [Mr. BARRETT], a member of the committee.

Mr. BARRETT of Nebraska. I thank the gentleman for yielding me this time.

Mr. Speaker, while this bill makes several technical corrections to already existing law, I want to speak to one provision that creates the National Commission on the Cost of Higher Education. Normally I am not particularly thrilled with the establishment of new commissions since they tend to take a little too long to complete their work and very often their recommendations have little or no impact on our deliberations. However, in this case, the \$650,000 expenditure of already appropriated funds for this commission and the fact that it must provide Congress with its recommendations within 4 months means that Congress will have an opportunity to review the recommendations during our consideration of the Higher Education Act. As the gentleman from California [Mr. MCKEON], the chairman, has already mentioned, since 1980 the cost of 4-year public colleges and universities has increased by 234 percent and the tuition at private 4-year institutions is already increasing at a rate of about 8 percent annually. Yet the causes for these increased tuition costs and whether the Federal policies or programs contribute are very complex and they deserve study. I recommend the study and I recommend the adoption of H.R. 914.

Mr. MCKEON. Mr. Speaker, I yield 1 minute to the gentleman from Georgia [Mr. DEAL], a member of the committee.

Mr. DEAL of Georgia. Mr. Speaker, I thank the gentleman for yielding me this time, and I commend the gentleman and the staff for their fine work in the bringing of this bill to the floor.

I, too, like the speaker who preceded me, am not particularly fond of commissions, but this one is of short duration, 4 months, and will address some very serious issues that we need to be concerned about.

We are spending \$35 billion in Federal aid this year for student aid programs, but we also know that for many students who are graduating that the cost of loan repayments is a significant burden that they will face in the near future. This commission has some important questions to answer: What is the role of the Federal Government? Do we have a role? What can we do? Are there regulatory reforms that are called for that will slow down or reduce the cost of rising tuition?

These are the kinds of questions that deserve our answers. These are the kinds of questions that must be answered before we reauthorize the Higher Education Act.

□ 1530

Mr. MCKEON. Mr. Speaker, I yield 1 minute to the gentleman from Kansas [Mr. TIAHRT].

Mr. TIAHRT. Mr. Speaker, I rise today to urge support of H.R. 914 and would like to congratulate the gentleman from Pennsylvania [Mr. GOODLING] and the gentleman from California [Mr. MCKEON] for bringing this legislation to the floor. Unlike the authorization of the seven-member panel of experts to examine exploding costs of higher education, the work of this panel will provide important information as we strive to make a college education an affordable reality for American students and their families. This legislation also contains language which is necessary for the States of Kansas and New Mexico to count the Federal impact aid they receive as part of their overall State education budget. This will save the State of Kansas \$6.5 million this year alone. This technical correction will result in no costs to the Federal Government. It simply allows Kansas to recognize the Federal impact aid it receives as part of the State's overall education budget.

Mr. Speaker, this provision has been approved by the members of the Committee on Education and the Workforce and passed by unanimous consent in the Senate. I appreciate the assistance of the gentleman from Pennsylvania [Mr. GOODLING] and the gentleman from California [Mr. MCKEON] for including this provision for the State of Kansas, and I urge the passage of H.R. 914.

Mr. KILDEE. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. LUTHER].

Mr. LUTHER. Mr. Speaker, I commend the gentleman from California [Mr. MCKEON] and the gentleman from Michigan [Mr. KILDEE] for their excellent work on this legislation. Today Congress has the opportunity to take an important bipartisan step in addressing an issue which affects so many American families, the rising costs of higher education. There is perhaps no long-term issue more important to our Nation than providing Americans opportunities within our educational system.

Shortly after I arrived in Congress just 2 years ago, I, along with other concerned Members of the House, made a bipartisan request that the GAO investigate the recent history of increases in college and university costs. The results of their report were disturbing: a 234 percent increase in the cost of attending a 4-year public college over the last 15 years, placing a college education and the American dream out of reach for many Americans. The legislation before us today will allow Congress the benefit of ex-

pert recommendations by an independent nonpartisan commission on what can be done to address rising college costs.

Mr. Speaker, I urge my fellow House Members to support H.R. 914.

Mr. KILDEE. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee [Mr. FORD].

Mr. FORD. Mr. Speaker, today I rise to voice my strong support for the Costs of Higher Education Review Act of 1997, a commission which will create a short-term commission to study the reasons for the constant increases in the costs of postsecondary education. As we embark upon a debate over the reauthorization of the Higher Education Act, the hard work and findings of this commission could be invaluable to our efforts, Mr. Speaker. The inescapable reality is we need to find ways to ensure that colleges, universities, and vocational institutions remain affordable for all Americans. Anything less and this Nation's young people will not be prepared to confront and overcome the challenges of the high-technology skills-dependent workplace of the 21st century.

The need for cost containment is real. In fact, over the last several months I have had numerous students and parents, as I would surmise many of my colleagues around the Nation have had, in Memphis voice their concerns over the cost of college, the rising costs of college. Several young people in my district who have decided to pursue a postsecondary education and are doing extremely well in the classroom are nevertheless facing the prospect of having to take a semester off or drop out altogether because they cannot qualify for loans, and/or their Pell or school-based grants are insufficient to cover the costs of tuition, room and board, and books. It is our duty as public policymakers to do all that we can to make sure that young people like those in my district who have worked hard, played by the rules and stayed in school, that they have a meaningful opportunity to pursue a postsecondary education. I am confident that if we work together Congress, the President, higher education administrators, parents, and students can find the will and the way to open and keep open the doors of educational opportunity for all Americans.

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to the gentleman from Delaware [Mr. CASTLE], the former Governor.

Mr. CASTLE. Mr. Speaker, I thank the gentleman from California for yielding the time. I want to make it clear from the beginning that I am a strong supporter of higher education. The productivity and performance of our economy is inextricably entwined with the investments in education that we individually and collectively make as a nation. Clearly, higher education is a valuable commodity, and it behooves us to make it readily available to our young people, our veterans, and to all Americans.

Put simply, I want everyone who possibly can to have the opportunity to pursue higher education, but I fear that college may be eluding many Americans because of the costs of attending. College tuition is one of the most important determinants of student access. Unfortunately, it has been rising at an astronomical rate. Over the last 3 years tuition costs have been rising at roughly 6 percent or twice the rate of inflation, which is a vast improvement over prior years. Years of unchecked growth and not entirely necessary growth have left a legacy of inefficiency in many of our colleges and universities which should be reviewed.

Mr. Speaker, H.R. 914 authorizes a short-term commission to study the rising costs of higher education and to recommend possible solutions. I would hope that this commission focuses on identifying plausible solutions rather than identifying the problem. I think that anyone who has spent time looking at this issue knows what the problem is and could identify causes. That is the easy part. The tough part is asking the tough questions and developing creative and reasonable policies to fix the problem.

Do colleges and universities need to examine and refine their mission? What is a critical mass of academic programs, of professors, of support staff and of students necessary to sustain a college or university as a viable institution? What can colleges and universities learn from the numerous examples of corporate restructuring in the 1980's? Can they grow smaller without compromising the richness and depth of their academic programs? Should they carve out a niche and specialize in a few areas? What exactly are the components of a quality education?

As a former Governor I know well the challenges facing presidents of colleges and universities who seek to restructure the system, make it more efficient and reduce costs while maintaining support from their constituencies professors, administrations, and students. It is no easy task, and I would urge us all to support the commission bill.

Mr. KILDEE. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. LAFALCE].

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

Mr. LAFALCE. Mr. Speaker, today higher education is a virtual necessity, but there is a tremendous difficulty in achieving that necessity, and that is the significantly increased cost of higher education. If my colleagues go back over either a 10-year or a 20-year period, they will see that the costs of higher education have increased at both public and private colleges and universities at a rate of approximately two to three times that of the rate of inflation. If my colleagues look at the increase in the cost of higher education and the increase in median income, they will see that higher education

costs have again increased at about two to three times the increase in the median income.

So how can individuals afford a higher education? They cannot afford to go to school; they cannot afford not to go to school. They are in a bind. What happens? More and more often, students are borrowing money, they are going into deep debt, and it is not unusual today for a college student to graduate with a minimum of \$10,000 in personal indebtedness, but very, very frequently considerably more: \$20, \$30, \$40, \$50,000. This imposes a huge burden on their entire future.

Mr. Speaker, at the very least we should examine a number of issues, and I congratulate the gentleman from California on his initiative. This is necessary. All we are doing by this commission is saying let us look at this problem, let us find out why costs have increased two to three times the median income, two to three times the cost of inflation, et cetera. We have got to do something.

Who is we? Everybody. We in the Congress, yes, of course; in the States, yes, of course; administrators at school, yes; boards of trustees, faculties, yes. The easy answer is to just say, well, increase tuition to whatever it might be because the students must go to college and they will borrow more and more and more. They have been doing this. We must bring that to a halt. We must analyze the possibility of tying future financial assistance to some leveling off of these constant increases in the costs of higher education. That is further than the bill goes, but it might well be necessary.

Mr. Speaker, I applaud the gentleman once again for his initiative, and I urge everyone to support it.

Mr. KILDEE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MCKEON. Mr. Speaker, we have no further speakers, but I yield myself such time as I may consume to take just a minute to thank those on the other side who have been so helpful in bringing us to this point. As my colleagues know, we have been working on this committee in a bipartisan nature. The gentleman from Michigan [Mr. KILDEE], the ranking member, has been very supportive, even though he does have some concerns on this. He has worked with us to make this bill better, to bring it to the floor, and supports it at this point. The gentleman from Minnesota [Mr. LUTHER] has been very helpful and very supportive on this bill, and I would like to thank him, the gentleman from Tennessee [Mr. FORD], and others.

Once one starts naming names, it is a danger because they always leave out some people that have been so helpful, but I would like to thank those Members and others who have been helpful, and especially our staff who have worked night and day to get this to this point, because it is urgent that we get this bill passed quickly so that we

can get the results back in time to use them for the higher ed reauthorization.

Mr. FAWELL. Mr. Speaker, I rise in support of the Impact Aid Technical Amendments to H.R. 914. I have long been a supporter of the Impact Aid Program, and I believe these amendments add necessary clarifications to ensure the integrity of the section 8002 funding disbursement.

As we all know, States and localities provide approximately 94 percent of education funding in the United States. The largest source of this funding is local property taxes. When a school district loses 10 percent of its taxable property, the local schools are severely impacted.

In 1950, Congress responded to this problem by creating the Impact Aid Program. The 1950 statute requires that the Federal Government reimburse each section 2 school district for each year in "such amount as * * * is equal to the continuing Federal responsibility for the additional burden with respect to current expenditures placed on such school district by such acquisition of property." The meaning of this language is very clear to me—the Department of Education should reimburse each section 2 school district by the amount which the Federal presence negatively impacts the school district.

My district in Illinois is home to a number of school districts eligible for assistance under section 8002. These funds help guarantee that the quality education they provide to their students will not be adversely affected due to the loss of tax revenue on federally-owned property.

Technical corrections authorization legislation enacted by Congress in 1996, had the impact of directing a large portion of the Impact Aid section 8002 funds to one school district. I am pleased at the way the House has chosen to address this inequity. Technical amendments enacted today will ensure that all funds appropriated to the Impact Aid section 8002 program will be allocated on the basis of the formula, ensuring that schools are allowed to compete on a level playing field. I strongly support this provision which will ensure an equitable disbursement of funds to all eligible schools who receive funds under section 8002.

I thank the chairman and ranking member for their work on this bill and urge Members to support H.R. 914.

Mr. MCKEON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD) The question is on the motion offered by the gentleman from California [Mr. MCKEON] that the House suspend the rules and agree to the resolution, H.Res. 145.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.Res. 145.

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