

FOREIGN AIR CARRIER FAMILY SUPPORT ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Guam [Mr. UNDERWOOD] is recognized for 5 minutes.

Mr. UNDERWOOD. Mr. Speaker, today I will introduce the Foreign Air Carrier Family Support Act which would require foreign air carriers to implement a disaster family assistance plan should an accident involving their carrier take place on American soil.

As many of my colleagues know, the accident involving Korean Air flight 801 has spurred the momentum for this legislation. Two hundred and twenty-eight individuals perished from that tragic episode, and countless friends and families have been affected by the loss of a loved one.

Various civil, military, and Federal personnel were involved in the search and rescue mission, as well as assisting family members on Guam and those who traveled from South Korea and the continental United States. Under the conditions at the time, all personnel contributed their time and energy to preserving life, searching for remains, and helping families cope with their grief.

However, I do point out that there were many criticisms made on behalf of family members regarding the search and rescue efforts as well as media involvement in the aftermath of the Korean Air crash. My legislation will aim to coordinate the complex procedures associated with an airline accident.

The foreign air carrier's clear delineation of responsibilities will clarify and streamline efforts when providing assistance to family members. This regulation is already required for our domestic airlines, as mandated in the passage of the Aviation Disaster Family Assistance Act of 1996. And, after close consultation with the Department of Transportation and the National Transportation Safety Board, I am ready to introduce the Foreign Air Carrier Family Support Act.

I am pleased that two of my colleagues have chosen to support me in this important matter. Representative JIMMY DUNCAN, chairman of the Subcommittee on Aviation, and Representative LIPINSKI, ranking member of the subcommittee, demonstrated their commitment to airline safety by electing to be original cosponsors of this legislation. I have also received support from the administration and Members of the Senate.

The overwhelming endorsement for this bill is not surprising. More and more of our own citizens take domestic and foreign air carriers to various destinations. We must work to ensure their safety as well as peace of mind.

The crash of Korean Air flight 801 demonstrated the need for this legislation. Although Korean Air did all that they could to assist victims' family members, their efforts could have been more efficient had a prearranged plan

been in effect. With prior arrangements there could have been greater coordination not only with family members but with NTSB officials and military personnel.

I encourage my colleagues to support the Foreign Air Carrier Family Assistance Act. This bipartisan legislation assures us that victims' family members of a foreign air carrier accident will not receive not merely sufficient assistance but efficient assistance as well.

COMPREHENSIVE APPROACH NEEDED IN EDUCATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes as the designee of the minority leader.

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

Mr. OWENS. Mr. Speaker, we are already in the process of debating the Labor, Health and Human Services, and Education appropriation. We have spent most of last week on that debate, and that debate will continue tomorrow. I think it is very interesting some of the kinds of amendments that have been introduced with respect to using funds from other places to assist various programs in education.

While I am all in favor of increased funding for education, I did not support amendments that sought to take funds from Health and Human Services or to take funds from labor programs, programs related to working people. I think we should take this opportunity that has been presented to us. Education is now clearly on the minds of a lot of people, including the decision-makers in the 105th Congress.

We have listened to the common sense of the American people. They have clearly made education a high priority over a long period of time. Education as a priority has not gone away. Prior to the last election, there was a clear, highly visible concern about education which both parties responded to. We had a sudden increase of \$4 billion in funding for education just before the last elections in 1996, last year. That was an indication that both parties had gotten the message. They funded time honored programs, like Head Start got an increase and title I got an increase, and we had several other increases which were very much needed.

We are still in a situation where the public is demanding more, and rightly so, from elected officials at every level for education. They are demanding more of people at the local level and State level and here. We have an unprecedented window of opportunity to do something of great and lasting significance about educational reform in this country.

We can start our schools on the road to improvement, a road to improve-

ment which will have a continuum. It will not be a stop-and-start sort of situation, but it can be a road of steady improvement. But we cannot do that unless we understand that the window of opportunity that we have now requires a comprehensive approach to reform. It requires that we not vulcanize our attempts to improve education.

We understand that it is good to have so much concern at every level; all Members of Congress concerned, parents concerned, people in general concerned about education. That is wonderful.

It is also a fact of life that everybody in America who is an adult considers himself to be an expert in education. Everybody has their own set of pet theories about how education can be improved and what should be done. Everybody has their own theory and approach to instructions on how to raise kids and how to handle young people in the school system.

Lots and lots of people are involved in the process, and that is good. We should not try to turn that off. It is good that millions and millions of people care about education and they care about school reform.

□ 1215

I would like to, however, caution those of us who are in power to understand that although it is good to have everybody involved in the process, there is a danger that any one person who thinks he has the truth can do a great deal of harm if he also has a lot of power. Those who are concerned, who have a lot of power, who want to put their pet theories into practice can wreck the process, or certainly throw it off track for a long time.

Let me just use the story that we have heard repeated often about the blind men who were describing the elephant. Each blind man who felt a part of the elephant, the tail, the trunk, the leg, the body, each blind man who felt a part of the elephant proceeded to describe the elephant, and they felt they had the true situation, the true perception of the elephant. They described the elephant in terms of the parts they felt. They were blind, however. We cannot blame them. They were not lying. They were sincere. They really believed that, according to what they felt, they had a good description of the truth of what an elephant is.

We have millions of blind men and women, I am one, blind in different degrees, who are involved in trying to reform education and improve education. We should stop and think of ourselves as blind people groping to try to come to some kind of ongoing, continual improvement of education in America and have a little more humility. The blind men should understand that you cannot hand down the truth here, that education and reform, improving our schools, is as complicated as nuclear physics. It is more complicated than building an atom bomb or building a hydrogen bomb. It is more complicated

than putting a shuttle in orbit. It is more complicated than building a space station, putting a rover on the surface of the moon or Mars. These things are very difficult, we know, but they are all in the realm of the physical sciences, and in physical science, properties, things do not move and change and vary in the ways that they do when we are dealing with human beings.

Education is a human enterprise. It has many different sciences involved. Education should be respected for being complicated. There are no simple solutions to the improvement of schools in America. There is no one solution. There is a need to approach the problem of school reform on a comprehensive basis and try across the board to deal with the various problems.

There are problems that will not go away in the area of physical facilities. We need schools that are able to provide conducive settings for children to learn. We cannot back away and ignore the fact that the General Accounting Office says we need about \$112 billion to really revamp the infrastructure of elementary and secondary schools across America. That includes in some cases we have just got to build new schools.

There are areas where the large population growth of young people necessitates the building of new schools. There are areas where the old schools are just not sufficient, and they have to be replaced. We have to build new schools there. There are other schools that have to be drastically renovated. There are other schools that need various repairs in various degrees.

So \$112 billion just to do it with physical facilities. We cannot ignore that, no matter what we try to do in terms of improvement of instruction, training of teachers, new forms of governance and management.

Charter schools are very popular. Charter schools represent a new form of governance and management of public schools that has a lot of agreement. Both parties, a lot of people on various sides of the issue think that charter schools are not a bad idea. But even before you try to deal with charter schools, the problem of physical facilities is a major problem. One of the reasons we have so few charter schools starting up is that they cannot find a place to start. The physical facility problem stops them, also. So physical facilities cannot be ignored.

Testing is on the other end of the priorities scale, and I think testing is important. I think assessment in various forms, testing standards are very important. Testing is important, and that cannot be ignored. But you cannot stampede the situation. You cannot insist that you have to have testing, and testing is the most important thing, and generate a debate, a long, prolonged logjam or debate, on testing while you ignore the fact that physical facilities are important.

Training of teachers is important. New materials and technology are important. We want to wire our schools. We want them to have the best capability to make use of the Internet, video, computers, et cetera. All of these things are important, but there are some that in sequence are more important than others.

You cannot have a computer without a mouse. The mouse is a very important piece of the computer. Most people have forgotten that it did not exist 10 years ago. It is a recent addition. Computers existed for some time before we had the mouse. A mouse is very important. But to talk about focusing on the mouse and forget about the fact that the chips, the basis for the computer, the chips had to be perfected first, if there were no chips there to form the basis of the whole computer technology, the mouse would be insignificant. To leap to testing, to emphasize testing over everything else is that kind of absurdity.

We are going to come back to that, but I want to not move into a detailed discussion of the testing debate without first making the case for an approach for school reform. We have a window of opportunity. Stop and think about the fact that the American people can focus on education more now because there is no more cold war. There is no hot war going on. There are really no global crises of a magnitude to take a lot of the time and attention of the leading thinkers of America, to the leading decisionmakers in Government. We can take time to really take a long, hard look at education from a lot of different points of view. That is what the lack of global crises allows us to do.

We have few national emergencies. There is a fire out of control in California, but I do not know whether it is going to become a national emergency or not. No earthquakes, no floods, nothing right now is of a magnitude to require a lot of time and attention. So if we have this kind of time and attention as a sort of a surplus at this point, then let us focus on education in a deliberative manner. Let us focus on the totality of trying to improve education in a deliberative manner. Let us not bully the process from the bully pulpit of the White House or from the bully pulpit of the Appropriations Committee.

If the blind men that I described before have power, any one of those blind men have power, they can force an interpretation of what the elephant looks like, and we have to buy it for a while. But, of course, if they do not have the truth, it will only distort things and make a fool of everybody, because the blind man who had the tail had power, and he insisted that the elephant looks like a tail of the elephant. He describes it as a long, stringy thing. We go off for the next few years trying to deal with elephants as a long, stringy thing, and that is not the truth.

Education suffers in the same way. If powerful people on the Committee on

Appropriations have their own pet theory and they push it forward, then they are going to mess up things for a long time to come. If the President and the White House have their own pet theory and they push it forward, ignoring how it fits into the totality of the comprehensive strategy, then we are going to have a mess. We are going to have some real problems.

I hate to compare education reform and trying to improve our schools to war, but it is a good analogy in this sense. We do not go off to fight wars and let each powerful person in Congress or in a State legislature have his own little pet theory to guide how the war is fought. We won World War II and we won other wars because we have taken a comprehensive approach. It is understood that if you are at war, it takes a total effort. You have to look at manpower recruitment as well as the materials manufacturing, the tanks and the guns and the bombs. You have to look at the psychology of the country. You have to raise the bonds to finance the whole enterprise. You have to have a spy apparatus as well as the Army, the Navy, the Marines. We understand that it is a complex operation, and we prepare for it in an across-the-board, comprehensive way.

Education deserves the same treatment. Let us look at it across the board. We do not have quite the urgency of war. People are not dying. There is no threat to our liberties directly. But it is important enough to take a comprehensive approach, and because of the fact that the urgency is not a matter of guns and bullets and dying, we can take a little more time to be more deliberative.

The history of this body, of the House of Representatives and the Senate, has been that education has been dealt with in the past in a very deliberative manner. The Committee on Education and the Workforce, once called the Education and Labor Committee and now called the Committee on Education and the Workforce, the Education Committee has been the place where we have had the deliberations on education, and the bills have developed out of there and been brought to the floor after they have gone through the committee process.

That has worked very well, in my opinion. I may be prejudiced because I am a member of the Committee on Education and the Workforce. I have been on the Committee on Education and the Workforce now for 15 years. I have seen it change names quite a bit. I have seen it change its form of operation, also, which is unfortunate. There is less deliberativeness now. There is more secrecy even on the committee. The majority does not share with the minority exactly what it is doing. We get last-minute bills put in front of us, proposals.

That is most unfortunate that the deliberative process is treated with contempt even at the committee level. Is it any wonder that when you reach the

House floor, you have a process which treats the whole Committee on Education and the Workforce with contempt? You have more important legislation being proposed through the Committee on Appropriations, more important decisions being made through the Committee on Appropriations than we have through the Committee on Education and the Workforce. That is treating the people on the Committee on Education and the Workforce and the whole process and the function of the Committee on Education and the Workforce with great contempt. That is unfortunate. It started in the last Congress. Now it has reached proportions where it may generate a major disaster.

I know we are not supposed to talk about the other body, but news is news. I will read from the Washington Post editorial so that we are not in a position of breaking the rules and criticizing the other body, but the Washington Post has an editorial which talks about a wrong move on education. It really is focusing on the fact that by a 51 to 49 rollcall vote in the other body, it was voted to take all the education programs and put them into a set of block grants. The Committee on Appropriations made this proposal; not the Committee on Education and the Workforce, the Committee on Appropriations. The Senate voted almost casually.

I am reading a quote from the Washington Post, Monday, September 15, today's Washington Post. It is called "Wrong Move on Education."

The Senate voted almost casually last week in effect to abolish most of the current forms of Federal aid to elementary and secondary schools for the year ahead by merging them into two block grants to school districts. The 51-49 roll call after only perfunctory debate seemed mainly meant to score a political point—that Republicans, all but four of whom supported the amendment, favor local control of the schools, while Democrats, all of whom opposed it, would have the Federal Government dictate school policy. But the issue is phony. Democrats no more than Republicans favor anything like Federal control of the schools, of which there is scant danger—and the schools deserve better from the Senate than to be used as political stage props.

The Federal Government pays only a small share of the cost of elementary and secondary education, about 6 percent.

This is their figure. I think it is not exactly correct. It may be even less than that. The total Federal involvement in education may be about 8 percent, and that includes higher education, which has a far larger percentage of the Federal fund part than the elementary and secondary education. But let us use the Washington Post figure. Only about 6 percent.

The rest is State and local. The Federal role thus never has been to sustain the schools, but to fill gaps and push mildly in what have seemed to be neglected directions. About half the Federal money—some \$6 billion a year—has been aimed since the 1960's at providing so-called compensatory education for lower-income children.

The block grant amendment, by Senator Slade Gorton, would have the effect of con-

verting this into general aid. The requirement that the money be spent on poorer students would be dropped in favor of letting school districts spend it as they deem appropriate. That's more than just a shift to local control; it's a shift away from a longstanding sensible effort to concentrate the limited Federal funds on those in greatest need. Does Congress really want to reverse that policy?

Most other Department of Education programs—though not such popular ones as aid to the disabled—would be bunched in the second block grant. As in most departments, a pretty good indication can be made for such bunching. Some programs are always floating around for which the original rationale was weak or has faded and that are too small to warrant separate administration. But that is true of only some, not all, of those Mr. Gorton would dispatch. Example: The Senate voted Thursday in favor of a compromise version of the national testing program the President supports, but in voting for the block grant, as Education Secretary Riley observed, it then voted to eliminate the funding for this purpose.

Other special purpose programs in aid of particular groups or in support of reform likewise would disappear, the secretary said, including several the President has touted as evidence of his commitment to education. The President and Democrats generally have made effective political use of the education issue in the past few years. Block-granting would leave them less of a stage from which to do so.

The Gorton amendment would be only for a year, at which point the appropriations bill to which it was attached would lapse, and the issue would have to be fought all over again. That's another reason why, even if mainly for show, it was the wrong way to do business. Mr. Riley was authorized to say it was "unacceptable" to the administration, meaning presumably that the President would veto the bill if the amendment were to survive in conference. He'd be right to do so.

□ 1230

That is the end of quote from the Washington Post editorial.

Mr. Speaker, I will submit the entire Washington Post editorial for the RECORD.

While we fiddle about national testing, there is a basic crisis being created by a proposal that we block grant all of the education programs. The Washington Post has amnesia in one area, and that is they do not point out the fact that the great debate on Federal involvement in elementary and secondary education that took place over a number of years reached the conclusion by deciding that the Federal Government should enter elementary and secondary education only to come to the aid of special situations, like impact. If military bases have an impact on the area, there should be Federal aid. The other place was aid to disadvantaged students.

The poor, aid to the poor, was a primary thrust of the Federal intervention, Federal involvement, and the Federal initiatives with respect to education. The Johnson administration, which led the way for title I, they made a case on the basis of poverty. The Office of Education, Research and Improvement, in the charter which establishes it, talks about improving education, first in the area of disadvantaged children and children in poverty.

The whole thrust of the Federal Government's involvement in education, which is primarily a State function and nobody debates that, the whole thrust has been to help the poorest districts, to help where it felt it could come to the aid of States and local governments in trying to deal with a problem that was clearly seen.

We saw it in World War I and World War II when they started recruiting youngsters for the draft. They saw gross inequities. We saw it at the time of Sputnik, when the Russians jumped ahead of us in space technology, and they did it because they had a superior apparatus in materials of education, which produced not only the general uses at the top, but the technicians and all the people up and down which are necessary for a complex society to produce the kind of technology we have in this space age. We understood that.

So we have had a history of the Federal Government's rather limited involvement, very limited. People blame the Federal Government for what is not right with education, but they forget that the Federal Government's involvement in terms of dollars in all education is no more than 8 percent. When you include higher education, the heavy involvement of the Federal Government in college aid now, it is 8 to 10 percent. It has never gone above 10 percent.

If even all of that 10 percent were in local elementary and secondary education, let us hypothetically say you have the whole 10 percent in elementary and secondary education, if the whole amount went to local education, it is still only 10 percent. The other 90 percent comes from the States and local governments.

The control, if control is followed by dollars, they say if you have Federal Government involvement, if they are paying part of the money, if they are paying for it, they are going to call the tune. Their influence would be, at the greatest, 10 percent. Ninety percent of the influence and decisionmaking, 90 percent of the power to run our schools, still rests with the State and local governments.

Let us be reasonable. You cannot control the situation with 10 percent of the funding. We talk about title I and all these other things that have failed. Well, they were only the icing on the cake, maybe the raisins in the bread; very, very tiny, but important elements. We think they are important because they are considered like the yeast in the bread. They have a vital role. They can be stimulants, like the catalysts and enzymes in our bodies, that do nothing except speed up certain operations or make them work properly. Like the oil which lubricates the machinery, there are a lot of things that can be done by a small quantity of something which is placed in the right way and serves the right function. That is the way the Federal Government's involvement in education has been.

Maybe too little of it. I am not one of those who fears that there is too much Federal intervention. I really think personally we should move toward a 25 percent involvement of funding, that the Federal funding in local education should go as high as 25 percent in order for us to get out of the present rut we are in with respect to infrastructure, materials and teacher training, the new technology.

It is unfortunate that we have these myths that get caught on. They hold on to these notions that somebody else is to blame, that local governments have done a bad job, that local school boards have done a bad job in terms of measuring up to the world standards.

Before Sputnik and the Federal Government got involved in promoting science and math education, we were way behind. We are in many ways failing to meet the challenges of the final years of the 20th century and the 21st century in terms of education, which provides young people can step out of high school and take the jobs that are available in the areas of media, computer, and a number of areas where we have jobs that are going begging because there is nobody qualified to handle those jobs. That failure is not a Federal Government failure, it is a local and State failure.

I am not here to lay blame, I am here to call for unity. I would like to see some unity, Federal, State, local governments, in terms of a comprehensive, deliberative approach to educational improvement.

Instead of going off on headline grabbing, highly visible ventures like national testing or uniforms or block grants, which will hand to the schools a pot of money, and say we do not care how you spend it, forget about the disadvantaged youngsters that we originally intended this money for, those kinds of things will wreck the system, instead of facilitating the construction of a school improvement effort that will go forward and serve future generations.

I am sure every parent and grandparent is concerned about their child being able to have first rate schools now, and not to wait.

There is a bright light in terms of when I was the chairman of the Subcommittee on Select Education with the Office of Education, Research and Improvement under the jurisdiction of that committee. We did push for the formation and reorganization of the Office of Education Research and Improvement, and developed a National Education Research Policies and Priorities Board. That does exist. I hope they take into consideration that priorities part. They are not only supposed to set the research agenda and project that 5 or 10 years ahead of time, but also supposed to help set priorities. With all due respect to what is going on now with the National Educational Research Policy and Priorities Board, I want to appeal to them to understand that the priority setting is

getting out of hand. Other people are setting the priorities. We need to hear from the National Education Research Policy and Priorities Board.

This document they produced, the first report called "Building Knowledge for a Nation of Learners: A Framework for Educational Research, 1997," talks about what the parameters are and what the elements are for a good, long dialog and discussion with all facets of the American Nation of people concerned with education. Everybody is concerned. Teachers, policy-makers, government people, they want to have a dialog. They talk about this dialog, and that is good. They put a great deal of emphasis on teacher training and putting teachers at the center of the process. That is good and generally agreed upon. There is no debate between Republicans and Democrats about the role of teachers in the process or the need for greater teacher training.

The problem with the document is the sense of urgency is not there and the next deliberation, the next document, the next outreach, the next initiative by the National Educational Research Policy and Priorities Board has to take into consideration the fact that we are moving very rapidly. There is a lot of concern, and we need from them a greater sense of urgency to help pull in all of these various proposals that are being made.

All these blind men out here groping for the truth, sincerely, the blind Republican Party, the blind Democratic Party, the blind members of the Committee on Appropriations, the Committee on Education and the Workforce, we all need to take those parts that we can see and feel and are strongly advocating and put them into a framework for an ongoing comprehensive reform policy.

Now, that is not an easy order. Education is as complicated as nuclear physics, as I said. Reform in education is as complicated as building a nuclear submarine or hydrogen bomb. It is a complicated process and we should not belittle the difficulties. But there is agreement, and I want to emphasize, we have a window of opportunity not only because the American people have made it a high priority, but because there is a great amount of agreement among the people who are most concerned about education, about certain very important items. There is a great deal of agreement between Republicans and Democrats on certain important items.

The first elements of our accelerated reform effort, a reform effort which moves with a sense of emergency, a reform effort which acts more like you are fighting a war, and it is across the board and you have to deal with it. You have to deal with governance of schools or boards of education, you have to deal with management, the quality of administration and direction we are getting. You have to deal with the teaching apparatus. You have to deal

with the physical facilities, construction, repair, renovation. You have to deal with the new technologies. You have to deal with the need for materials. We have library books in New York City libraries which deal with geography and history, and they are 30 years old. That is distortion of education. That is miseducation. You should throw them away even if you have empty shelves. But what do you replace them with? You have to deal with that.

Opportunities to learn. We have to focus on opportunities to learn and what that means and the Federal role in opportunities to learn. Opportunities to learn is a very simple concept, and I want to repeat, we have agreement in 1994 when we passed the Elementary and Secondary Schools Assistance Act, which also contained Goals 2000 as a part of it, we had agreement, a working compromise. Some people did not like the idea of national testing, the Federal Government being involved in developing testing standards, liked the idea of a national curriculum, and the others liked the idea of national testing that did not like the idea of national curriculum. There were some of us that did not think either idea was that good unless you combined it with something else, and that was called a national set of opportunity to learn standards.

We had a compromise. In the legislation passed in 1994, the reauthorization of the Elementary and Secondary Schools Assistance Act, there was a three-pronged attack in terms of the Federal Government pushing national standards: National standards for curriculum, national standards for testing, and national standards for opportunity to learn.

Now, where there is disagreement, and the unfortunate thing that happened was in 1996, the all-powerful Committee on Appropriations took out, they repealed, the opportunities to learn prong of the three initiatives. Opportunities to learn was taken away, leaving just testing, national standards for testing and national standards for curriculum. I say national standards for testing. It was not a national test. They are moving beyond that when they called for national test. We will get to national testing in a few minutes.

But opportunity to learn, I regret, does not have the kind of agreement we need. So let us put it on a back burner for a while and look at the places where we do have agreement. We have agreement there is a great need for teacher training and more involvement in the Federal Government in trying to facilitate teacher training that should take place. We have agreement that we need more technology in our schools and we should harness the advantages of the Internet and computerization and prepare our children, students, for the jobs that are to come in the future and for the transformation of society with the computer and the technology

of the Internet and telecommunications playing a major role.

This Congress passed the Telecommunications Act of 1996, which had in it a mandate that the FCC had to develop certain procedures and a program to provide aid to schools and libraries. They have done so. The FCC has passed a set of regulations which will provide \$2.2 billion a year, \$2.2 billion a year, for telecommunications services to schools and libraries. That is going forward.

Coupled with that is the Technology Literacy Act that is also getting an increase in funding. There is agreement, Republicans and Democrats across the board, local level, State level, and Federal level, on technology. So that is a second place where there is great agreement. Teacher training, technology, the uses of technology for education, a new initiative, improved initiative for technology in schooling is going forward.

The third is charter schools. The charter schools, there is still some controversy lingering with respect to charter schools and not everybody is on board, but there is great agreement between Democrats and Republicans that they are a good idea. There is a great agreement. Even the National Education Association and the American Federation of Teachers, they have approved the concept and are willing to go forward to experiment.

Charter schools are no cure-all or miracle for anything. Charter schools can be added as one component of the whole reform effort. Across the board you have these various attempts to improve schooling. The whole school reform, the whole school approach to reform that was advocated by a member of the Committee on Appropriations, that is important. It ought to be in there in terms of the overall running of schools. I think that is a very good idea. I have always advocated that.

There are a number of other approaches in terms of reading, there are approaches in terms of the way you use technology. All those things should be in there across the board, in that across-the-board strategy. One important component would be charter schools. Charter schools are very important because they deal with governance and management.

At the heart of some of our problems is the failure of governance. While we praise local school boards and some Senators and Congressmen want to push more money down to the local level, some of the worst and most corrupt decisionmaking processes in the whole area of schooling has taken place at the local school boards. Patronage problems, corruption, all kinds of things have happened in the area of local school boards, and it is just a fantasy, a romantic ideal without any basis to talk about local control being the Godsend that can handle everything. Local control often is very poor, very backward, and even when it is honest, as in the case of 90 percent of

our school districts or more, most of them are honest, hard-working people, they are slow to pick up on national trends. They are slow to pick up on international trends. They are slow to pick up on innovations. They need some help in terms of understanding what the possibilities are.

So governance and management, new ways to approach that, is found in the area of charter schools. When you have a charter school, which is a public school, the funding for the charter school is public, the whole idea is that the amount of money spent per child in the traditional public schools or localities, that same amount of money would be spent per child in the charter school. The charter school would have a different governance. They would be bound by certain State rules and maybe certain local rules, but they would be able to get out from under the local apparatus, the bureaucracy that runs the local traditional schools in the area. They would be able to experiment and do some things without having to have a level of improvement within the bureaucracy or without being bound by tradition. They could have innovations without seeking approval, and they would be held accountable, the same accountability mechanism, the same tests that you apply to local schools. The same whatever judgments you are going to make or criteria you will use to evaluate what the traditional local schools are doing, you would use that on the charter school.

□ 1245

You would have the flexibility. They could breathe. Teachers who complain all the time about being stultified by the bureaucracy, the rules, all the other things they have to do other than teaching, all the kinds of problems that teachers present, some could be ameliorated because they would have a way to get command of those rules and those processes and those procedures in a charter school setting.

Charter schools do not have to be a little red schoolhouse. It should not be limited to 100 kids or 300 kids. Charter schools can take many forms. I hope we have some charter schools which deal with disruptive junior high school and high school students, and take on the challenge.

That is a major problem in the cities, complaining all the time about disruptive students and what they do to other students. They imply that they cannot be handled in the classroom, that the regular traditional apparatus cannot deal with them. If that is the case, let us have some charter schools which seek to deal with disruptive youngsters, and lay out a plan of people who are dedicated and went to do that.

They are in charge in terms of they are the board of directors, they make the policies, they determine who the managers are going to be, the principals, the rules for the faculty, the structure; if they went to a different

structure from the traditional structure of one teacher in a class of 25 or 30 kids; maybe they want to infuse more technology, more kinds of approaches to squad learning, and techniques used by the Army to teach. There are other things that they would be free to do without having to get approval from the whole system.

I have no quarrel, and I am not criticizing local education agencies as being inevitably stupid or inevitably hidebound. Local education will for a long time be all we have. Even with charter schools, it is the local education agency that is going to have to get things done.

But a local education agency has to stop and think about what it is doing in terms of many different entities before it can make a move. They are inevitably forced to be more cautious and move slower. So let us welcome on the fringes, and I do not want to use the word "fringes," but let us welcome a component which can move with greater freedom and flexibility within the strictures, really, of the local education system.

Charter schools are not a threat to the public schools, I assure the Members. Charter schools at this point, according to the Office of Educational Research and Improvement review, it said there are about 600 charter schools in the country now, 600.

Charter schools, as I said, are public schools. There are 86,000 total public schools, 86,000. That is 16,000 local school boards; but actual schools, 86,000 schools. Six hundred charter schools are no threat to 86,000. In fact, by the end of this year they expect maybe we will have 800. Eight hundred are no threat to 86,000. It is far too small. We need enough charter schools to be able to measure what is going on.

If we do not do something to improve the environment that charter schools exist in, they are going to drop off the radar screen. They do not want to lose them as part of this experiment, or I do not want to see them not become a part of the experiment. We ought to have enough charter schools to measure how they perform against the public schools.

A lot of people insist that the competition is needed. As Members know, the Republican platform for some years has insisted that we need competition with traditional schools through vouchers, that vouchers provide competition. It allows parents to make choices and take their kids to some better school, and the competition with the school that receives the vouchers, between the school that receives the vouchers and the school that has a traditional education, that competition is going to help improve education overall. That is the argument made.

We differ on vouchers, but on the competition I agree. Competition in the schooling process, competition within the whole environment of school reform, will be very good. We

need competition. We can get the competition through charter schools. Publicly funded charter schools can give us the kind of competitive situation which would allow us to compare what the traditional schools do with what a group of people who are free to innovate and freer to do things in many ways.

Let us understand that Republicans agree that charter schools are good, Democrats agree that charter schools are good, the National Education Association agrees that they are willing to try charter schools as part of the experiment. The American Federation of Teachers and numerous other organizations that care about education and are involved deeply in education have approved the concept.

If the concept is approved, this is one of those areas of agreement where we can move forward in this comprehensive approach. We do not have all the pieces there, but we have teacher training, technology, and charter schools. Let us not lose this window of opportunity quarreling about block grants, which would wipe out the focus of the Federal Government on special needy targets, or quarreling about testing, or quarreling about uniforms. Let us understand what the priorities are. Those things may be important.

There is one thing that we do not agree on, and that is construction. The President's construction initiative would propose \$5 million over a 5-year period for school renovation and repair. We need that, because these other parts will not work, the charter schools and the technology will not work, if we do not have some relief in the area of physical facilities. The teacher training will have limited impact.

Teachers are laughing at us when we talk about education reform and we have children who are in crowded schools, so crowded that some of them have to go to school or have to study in the bathroom. That is not a fiction. There is a great controversy in New York now about an ad that was used in the mayoral campaign by candidate Ruth Messenger when she told the truth. She had a picture of the kids in the bathroom. Twenty-five percent of the schools at one time or another have had to use their bathrooms for the overflow. Many of them regularly use hallways. A large percentage, probably the majority, are using their cafeterias and their gyms as classrooms.

There are schools in New York where children must go to lunch at 10 o'clock in the morning, and one at 9:45, because there is so much overcrowding that they cannot go to the cafeteria except in relays. So the first children are forced to eat at 10 o'clock, the last children eat at 2 o'clock.

In my opinion, and I have made it quite clear that I intend to do more about this in pursuing it, this is child abuse. To make a child eat his lunch at 10 o'clock, that is child abuse. I do not know why the health department

would tolerate this, and we are going to push on this. But it is done in a large number of schools because of overcrowding. There is a major problem.

So the teacher will be very cynical when you say you are interested in reform and you want to bring in new technology, computers, the Internet, while you are not relieving the problem of overcrowding. The teacher will be very cynical if you talk about charter schools being a good idea but there is no money to buy a building for a charter school or renovate an old building in order to have a charter school take place. Charter schools have indicated, or people who are concerned about charter schools have indicated that their No. 1 problem is facilities. They cannot find the facilities, so construction is important in our across-the-board comprehensive approach.

There are many pieces that I have not talked about, and there are some that I do not even know about. But let us recognize with humility that we are all blind men. There is one piece, though, that we ought to have in there in order to make the three pieces work that we agree on, the three components that Republicans and Democrats agree on: teacher training, charter schools, and technology. Those three will be made more operable and meaningful if we have the initiative for construction. The construction initiative is a very cautious one, limited one, conservative one: \$5 billion over 5 years. That is all we are talking about.

New York State has already, I think, been inspired by the President's direction. The President did announce in his State of the Union Address that he was going to push for the \$5 billion. The President did put it in his list of items in the nonpartisan budget negotiation, so I think that the very fact that in the budget the President took the initiative and made a trial has inspired some other States and localities. So New York State has a bond issue on the ballot on November 4 to provide \$2.2 billion for school construction.

□ 1300

It is very much needed. I hope that we go back, before this first year of the 105th Congress is over, so that we can do something about that construction initiative that was knocked off track for the whole country.

It was only a stimulus; \$1 billion a year over a 5-year period, would only stimulate the local and State governments, but the stimulus is very important. It helps to promote an idea for a population that is generally suspicious of any new initiative to spend money.

We expect in New York State that this bond issue will pass. The voters in all parts of the State feel the pressure of aging physical facilities. There are some communities where they are concerned about the infrastructure. They have fairly decent schools, but they are 30, 40 years old, and they see problems arising in terms of new wiring for the

computers, new kinds of things happening, plus the aging factor is there. And the question is, Is it more important to repair very old buildings or try to build new ones? Or if we are going to repair the old ones, that will cost a great deal, too.

So we have, I think, a universal need. Probably in every school district in America there is some need for renovation, repair or construction. So we ought to get back to it. This window of opportunity where the people of America have clearly shown their concern about education, the window of opportunity should not be lost. They deserve more from their elected officials at every level. Certainly they deserve more from the Members of Congress.

Members of Congress should try to respond to the demand of the people, of the voters, in a more responsible way. Let us not just throw them gimmicks, let us deal with items of agreement, teacher training, charter schools, and technology, and understand that those three cannot work unless we have a Federal initiative in construction.

The Congressional Black Caucus has some other initiatives that they have proposed in terms of computer training which should be extended beyond the schools, and in order to have youngsters who are disadvantaged and do not have computers at home to have places to practice outside the schools. So we are proposing storefront training centers, computer centers, and a few innovations of that kind.

But let us agree on the basics. At least get the technology into the local schools and get charter schools in a position, if it is a good idea, where they can have the money they need for the facilities and be able to go forward.

Where does testing come into all this? We will have a debate on the floor on the President's proposal for national testing. I am on the side which opposes national testing at this time. I was a member of the Committee on Economic and Educational Opportunities when we passed the Elementary and Secondary School Assistance Act in 1994. We had this great debate. We went through a deliberative process on the committee. We debated for months. And after we passed it out of the House of Representatives we debated with the Senate, because they did not have the same thing we had. In the conference process we worked back and forth with the Senate for another 3 months.

The deliberative process was in place and a compromise was reached where we had a three-pronged approach: National standards for curriculum, national standards for assessment and testing, and national standards for opportunities to learn. I am against the testing at this point because in 1996 they pulled out the national standards for opportunities to learn.

If we do not have the Federal Government using its influence, its clout, its bully pulpit, we cannot make the States do anything. And all this is voluntary. But when the Government

speaks up and the President speaks up, people listen and the local elected officials at the State and local level must respond.

When the President talks about opportunities to learn in terms of construction that will provide new facilities; when the President talks about opportunities to learn in terms of science laboratories where kids can really studies science, with appropriate science equipment; when the President talks about opportunities to learn in terms of teacher training, we do not have a situation like the one we had in New York a few years ago.

A survey was done by the Community Service Society and they found that two-thirds of our schools, where the African-American and Latino youngsters go to school, in those junior high schools, two-thirds of our junior high schools in the city, and we have 1,100 schools, and I do not know how many junior high, but within the context of 1,100, that many schools, that two-thirds of the junior high schools did not have any teacher who had majored in math and science teaching math and science.

Math and science was being taught by teachers who had certification in other areas. That was 3 or 4 years ago. It is worse now because, since then, we have had campaigns by the city to encourage older teachers to retire. In order to save money, older teachers are encouraged to leave the system. The science and math teachers were some of the first to go because they had jobs waiting for them outside in private industry or in other school systems in the suburb.

We have a steady drain on the brain, the best teachers and the most experienced teachers. Even without encouragement from our Government, they are steadily moving out from New York City to the various suburban areas which pay higher salaries. That is always a drain. So the likelihood that the situation with physics, chemistry, general science teachers, biology teachers is going to improve is zero.

Any reasonable analysis of the situation will show us that it is not going to get any better under the present conditions. Math teachers. We are not going to have the teachers. We have to have some new form of teaching to deal with that. Opportunities to learn must be provided somehow. We have to come up with something.

I emphasize technology, new technology, which will have videotapes and commuter instruction and Internet instruction to help back up the few math teachers we do have and have some kind of way to approach it by getting the best of help through distance learning and these various techniques where we can bring high quality teachers into any classroom in America and provide a lesson or demonstration on a video which can illustrate a principle in physics or some part of biology in ways in which we could never do it without the new technology.

So the new technology is not a luxury, it may be the only answer to solving the problem of decent math and science teachers in inner city schools where we have lost them and we are not going to get them back any time soon. So opportunities to learn means we address that kind of problem.

When they pulled out the opportunity to learn standards during a Committee on Appropriations conference, and I questioned the legality of that because appropriations committees are not supposed to legislate, but in this case, in 1996, the Committee on Appropriations repealed a part of the Elementary and Secondary School Assistance Act. When they pulled it out, they left us with just the two prongs, national curriculum standards, which I am still in favor of, but national testing standards, which I do not want to see go forward without the opportunity to learn. They must balance off each other.

If we do not have the opportunity to learn, I know what the tests will tell us. We know who will fail. We know who fails now. They will fail on the national test if they do not have the opportunity to learn. Testing without the opportunity to learn is abuse of students. We are abusing the students by saying the burden of school reform, the burden of school improvement is on their backs. We are not going to give the students a decent place to sit, a safe place to learn; we are not going to give them decent laboratories or decent library books, we will not give them the kind of science equipment and materials they need, but we are still going to test them and put a score there where they will be stuck with that score for a long time to come.

A national test is being proposed. That was not in the legislation. The National Government was not supposed to be involved in testing standards, setting standards so that States and localities would have a similar set of standards and be able to make comparisons. Now we propose a national test which, one of these days, might not be a bad idea. I have no problem with a national test if it is done in conjunction with the opportunities to learn.

Our problem is that presently the national test represents an easy way to fool the American people that are clamoring for improvements in education and make them believe that they have accomplished something significant when they have accomplished nothing. The national testing is a decoy, a diversion. A diversion. It really should not come at this time. It diverts us.

There are other people that have other reasons for opposing national testing. I support not the generally stated conservative reason of we do not want any more Federal intervention. I do not agree with that. William Bennett does not agree with that, Chester Finn does not agree with that. They want a national test. They are Republicans. I think national testing is not a

bad idea eventually, but the national testing at this time, under these conditions, we are being stampeded into doing a national test, and that is wrong.

It should go back to Congress, as an amendment on the floor tomorrow would propose, that Congress should have the opportunity to deliberate. Back to the deliberative process, where the blind men have a chance to confer with each other and come up with something where all the very important is taken into consideration.

I use the analogy of the elephant and the blind men, because I think it is very important that we make the point that very powerful blind men can do a great deal of harm. A blind man who happens to be in the White House, a blind man who happens to be on the Committee on Appropriations can do a great deal of harm, because they insist that they have the truth without consulting with the others of us who are groping the same elephant, and we can do some things that will set us back in the process of education reform.

The Leadership Conference on Civil Rights is opposed to testing, and they give a set of good reasons, which all relate to the fact that we are moving too fast, being stampeded. They said the administration proposal allows school authorities to exclude or refuse to accommodate students who have limited English proficiency or who have disabilities. They say also that the administration's proposal fails to provide safeguards against the invalid and inappropriate use of test results. They fail to hold school authorities accountable by requiring public reporting of results so that parents and others can take informed action. The administration's proposal does not take even modest steps to identify details of critical educational resources that have a significant impact on test results.

That is the primary point of my concern. Critical educational resources, opportunities to learn, have an impact on test results. And we can say ahead of time who will fail and who will score high by looking at the kind of resources that are available to our students. The administration must take the necessary steps to assure that the laws and policies according to the rights of equal educational opportunity will be effectively enforced.

That is the Leadership Conference on Civil Rights. NAACP Legal Defense Fund had some of the same kinds of concerns. Tests will be used for high stakes decisions about students' futures and under the present conditions it is not fair to do that, and on and on it goes.

I hate to conclude on the note of tests because my plea, my major concern is that we operate together on the points where we are in unison. We do agree that teacher training, charter schools and technology are important. Democrats and Republicans should join hands and respond to the public demand for improvements in education in

a positive way by moving on these areas of agreement in a comprehensive reform approach.

Mr. Speaker, I include the Washington Post article for the RECORD.

[From the Washington Post, Sept. 15, 1997]

WRONG MOVE ON EDUCATION

The Senate voted almost casually last week in effect to abolish most of the current forms of federal aid to elementary and secondary schools for the year ahead by merging them into two block grants to school districts. The 51-49 roll call after only perfunctory debate seemed mainly meant to score a political point—that Republicans, all but four of whom supported the amendment, favor local control of schools, while Democrats, all of whom opposed it, would have the federal government dictate school policy. But the issue is phony. Democrats no more than Republicans favor anything like federal control of the schools, of which there is scant danger—and the schools deserve better from the Senate than to be used as political stage props.

The federal government pays only a small share of the cost of elementary and secondary education—about 6 percent. The rest is state and local. The federal role thus never has been to sustain the schools, but fill gaps and push mildly in what have seemed to be neglected directions. About half the federal money—some \$6 billion a year—has been aimed since the 1960s at providing so-called compensatory education for lower-income children. The block grant amendment, by Sen. Slade Gordon, would have the effect of converting this into general aid. The requirement that the money be spent on poorer students would be dropped in favor of letting school districts spend it as they “deem appropriate.” That’s more than just a shift to local control; it’s a shift away from a long-standing sensible effort to concentrate the limited federal funds on those in greatest need. Does Congress really want to reverse that policy?

Most other Department of Education programs—though not such popular ones as aid to the disabled—would be bunched in the second block grant. As in most departments, a pretty good case can be made for some such bunching. Some programs are always floating around for which the original rationale was weak or has faded and that are too small to warrant separate administration. But that’s true of only some, not all, of those Mr. Gordon would dispatch. Example: the Senate voted Thursday in favor of a compromise version of the national testing program the president supports—but in voting for the block grant, as Education Secretary Richard Riley observed, “It then voted to eliminate the funding for this purpose.”

Other special-purpose programs in aid of particular groups or in support of reform likewise would disappear, the secretary said, including several the president has touted as evidence of his commitment to education. The president and Democrats generally have made effective political use of the education issue in the past few years. Block-granting would leave them less of a stage from which to do so.

The Gorton amendment would be only for a year, at which point the appropriations bill to which it was attached would lapse, and the issue would have to be fought all over again. That’s another reason why, even if mainly for show, it was the wrong way to do business. Mr. Riley was authorized to say it was “unacceptable” to the administration, meaning presumably that the president would veto the bill if the amendment were to survive in conference. He’d be right to do so.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The Chair would remind Members or caution them not to characterize action of the Senate or to quote from publications which are critical of the Senate.

Mr. OWENS. Mr. Speaker, I am sorry. I did not know that we cannot quote from publications.

The SPEAKER pro tempore. Members are not to characterize action of the Senate in any way, critical or otherwise.

THE YEAR 2000 PROBLEM: CAN IT BE MANAGED?

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 7, 1997, the gentleman from California [Mr. HORN] is recognized for 30 minutes as the designee of the majority leader.

Mr. HORN. Mr. Speaker, as many of my colleagues know, we have a major problem coming up on January 1, the year 2000. It is called the “Year 2000 Problem”, and it relates to our problems with computers that have been programmed going back into the sixties, where we had very little capacity and somebody came up with the bright idea that we could save a few digits here and there by not putting 19 before the year. If it is 1967, let us just put in ‘67 and we can do all our subtraction and addition based on that.

As we near the year and the day of January 1, 2000, we face the problem of thousands and tens of thousands of computers within the Federal Government, throughout the private sector, State government and other parts of society where we will have 00 and the computer will not know whether it is the year 1900 or the year 2000.

Now, this affects millions of people in terms of Federal entitlements, in determining age eligibility, and so this is the second report card that the Subcommittee on Government Management, Information, and Technology, which I chair, has issued. The other one was last year. We first began focusing attention on this matter in April 1996. We urged the administration to focus attention on this problem.

The big problem that year was to get the administration to make an estimate as to what it would cost to make the conversions, where lines of code, some of them placed in computers in the sixties, the seventies, the eighties, and the nineties have to be brought up on the screen. That information has to be looked at, by a technician, who determines: Is this date relevant? If so, should we save it? And if we are going to save it, we need that date to be in 4-digit years, not 2-digit years.

□ 1315

We now have unbelievable capacity in our computers. Many laptops have a storage capacity now that would take a whole room of computers to provide

such storage in the sixties. So this is a solvable problem. But there are no easy answers. If there were, somebody would be a billionaire in solving this problem. So I urge high school students that might watch this to think about how they can fit into helping us solve this crisis, because it is a crisis and it involves not only the Federal systems but State systems, and systems in local governments and the private sector.

When we held our hearings in April 1996, we had experts in computing estimate that this was a \$600 billion worldwide problem. And since half the computers are in the United States, it is a \$300 billion problem for the United States in private and public sectors. The Gartner Group also estimated that the Federal Government had a \$30 billion problem. I thought that was high. But we are not sure. We will know on January 1, 2000.

We asked in the appropriations legislation last year for the submission by the President of the budget it would take to solve this year 2000 problem. The budget for fiscal year 1998 that will end September 30, 1998 and will begin on October 1, 1997, which is just a few weeks away. We asked the administration to give us a recommendation. The recommendation was that it was a \$2.3 billion problem to make the various renovations and conversions of existing computer systems in the executive branch.

I must say I had a hearty laugh when I read that figure. I felt that was so far out of touch with reality that maybe it was not even worth considering. So we held a hearing and we had a number of key experts testify. Obviously, one major user of computers is the Department of Defense. We had the very able Assistant Secretary for Command, Control, Communications, and Intelligence General Emmett Paige, Jr., as a witness. We asked him about the administration figure of \$2.3 billion for the whole executive branch. He smiled and responded that \$1 billion of that \$2.3 billion was his recommendation; and that DOD has not even started to look at the assessment to see what is really there in the thousands of systems that the Department of Defense has responsibility to operate.

So we knew that the administration had not quite done its homework. What we have been pressuring for the last few months is to get a much more solid figure on which Congress could depend.

I have very high regard for the Director of OMB, the Office of Management and Budget. Dr. Franklin Raines is a very able person. He immediately started to get on top of this when he became Director last fall. He is planning to make it a major issue in his budget reviews as the Cabinet departments, independent agencies, and smaller commissions come before the Office of Management and Budget to prepare their recommendations to the President for fiscal year 1999 that will begin October 1, 1998.