

As a result of these factors, which were raised in the NAFTA debate, the United States and Mexico agreed to the creation of a new institutional structure to promote the environmental health of the border region. As such, the Border Environment Cooperation Agreement established the NADBank and the Border Environment Cooperation Commission (BECC). These institutions currently work together to assist communities within 100 kilometers (km) on either side of the U.S.-Mexico border by financing environmental infrastructure projects that address the need for wastewater treatment, drinking water, and disposal of municipal solid waste. Spanning 2100 miles from the Gulf of Mexico to the Pacific Ocean, the NADBank border region includes territory in the four U.S. states of Texas, New Mexico, Arizona, and California.

Under the Border Environment Cooperation Agreement, the BECC is to certify the validity of environmental infrastructure projects. Alternatively, the NADBank determines the feasibility of BECC certified projects, and subsequently provides the appropriate financing. Since its inception, the BECC has certified 57 projects with a total construction cost of \$1.2 billion. The NADBank has committed Environmental Protection Agency grant funds to 37 of these projects.

However, as the Administration has testified, NADBank's overall performance has been inadequate and unsatisfactory. NADBank has approved only \$23.5 million and disbursed only \$11 million in loans to projects, despite having \$450 million in authorized paid-in capital and a total lending capacity of \$2.7 billion.

ADMINISTRATION'S REQUEST ON THE NADBANK

Second, with regard to the Administration's request, in order to address the inadequacies of the NADBank, U.S. President George Bush and Mexican President Vicente Fox formed a bi-national working group that held a series of discussions with states, communities, and other stakeholders in the border region with the purpose of generating plans for reform to strengthen the performance of the NADBank and the BECC. As a result of this working group, President Bush and President Fox came forth with a joint agreement, which was announced in Monterrey, Mexico, in March 2002. Two of the provisions in this joint agreement require U.S. congressional approval as they are amendments to the Border Environment Cooperation Agreement which established the NADBank.

As a result, on July 19, 2002, the Administration made an official request for congressional action to make the following two changes:

1. The NADBank would be able to make grants and non-market rate loans out of its paid-in capital resources with the approval of its Board of Directors. (Currently, NADBank can only finance market rate loans.)

2. The region that the NADBank serves would be expanded on only the Mexican side from 100 km of the international boundary line to within 300 km of the international boundary line.

With respect to the first requested legislative change, the Administration's rationale is that NADBank's current financial framework is having a limited impact in regions with high poverty rates. Communities in the border regions in many instances have been unable to afford market-rate financing for environmental infrastructure projects. The NADBank will have

greater flexibility to address the environmental needs of the border region if they are also able to use non-market rate loans and grants.

With regard to the second requested legislative change, the Administration's rationale is that the geographic expansion on the Mexican side of the international boundary will give the NADBank more opportunities to address a greater scope of environmental issues that affect communities along the United States and Mexican border. For example, with this change, the NADBank will be better able to undertake projects that improve water use over a broader geographic area, which would increase water supply in its shared rivers. It is important to note that, according to the Administration, this reform will be linked with a system that concentrates grants and low interest loans in the poorest communities within 100 km of the border.

CONTENTS OF H.R. 5400

Third, as this Member mentioned earlier, on September 18, 2002, this Member introduced H.R. 5400 which makes necessary changes to the charter agreement of the NADBank. Before introducing H.R. 5400, this Member's Subcommittee conducted two hearings which, in part, addressed the subject of the NADBank.

On May 2, 2002, the Subcommittee on International Monetary Policy and Trade conducted a hearing that included testimony from private sector panelists on the subject of the NADBank. At this hearing, the Subcommittee heard testimony from the Mayor of Eagle Pass, Texas, and the City Manager of Mercedes, Texas—communities along the U.S./Mexico international boundary. Testimony was also given by the former Chief Executive Officer of the NADBank and an investment banker who has worked with the NADBank.

Furthermore, on July 25, 2002, the Subcommittee on International Monetary Policy and Trade conducted a hearing where Undersecretary of the Department of Treasury for International Affairs, Dr. John Taylor, provided testimony, which included his opinion as to the importance of the Administration's request on the NADBank.

This legislation being considered under unanimous consent, includes the two previously discussed changes which the Administration requested. As such, H.R. 5400 would allow the NADBank to offer grant and non-market-rate financing and would expand the service area of the NADBank on the Mexican side to within 300 km of the U.S./Mexican international boundary line.

Furthermore, H.R. 5400 would enhance congressional oversight through an annual reporting requirement on the subject of the NADBank by the Secretary of the Treasury to both the House Committee on Financial Services and the Senate Committee on Foreign Relations. Currently, there is no such reporting requirement.

This bill also includes different sense of the Congress resolutions. There is a sense of Congress, which was in the bill as introduced, that water conservation projects are eligible for funding from the NADBank and that the Board of the NADBank should support such qualified water conservation projects which assist Texas irrigators and agricultural producers in the lower Rio Grande River Valley.

Furthermore, a sense of Congress was successfully offered by the distinguished gentleman from Arizona (Mr. SHADEGG) during the

full Committee markup. The provision expresses the sense of Congress that the Board of the NADBank should take into consideration the needs of all the border states before approving funding for water conservation projects, and strive to fund water conservation projects in each of the border states.

A different sense of Congress was successfully offered by the distinguished gentleman from California (Mr. ROYCE) during the full Committee markup. This provision states the sense of Congress that the Board of the NADBank should support the development of qualified water conservation projects in southern California and the other eligible areas in the four U.S. border states for the desalination of ocean saltwater and other enumerated uses listed in the bill.

Lastly, a sense of Congress amendment was successfully offered by the distinguished gentleman from California (Mr. OSE) during the full Committee markup. As such, the resolution would express the sense of Congress that the Board of the NADBank should support the financing of projects which address coastal issues and the problem of pollution in both the U.S. and Mexico having an environmental impact along the shores of the Pacific Ocean and the Gulf of Mexico. In addition, the resolution states that it is a sense of Congress that the NADBank should support the financing of projects which address air pollution.

Mr. Speaker, in conclusion, for the reasons stated and many others, it is very important that the House pass H.R. 5400 by unanimous consent. Furthermore, this Member is hopeful that the President can sign this legislation into law this year. Thank you.

EDUCATION SCIENCES REFORM ACT OF 2002

SPEECH OF

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 2002

Mr. McKEON. Mr. Speaker, I rise in support of H.R. 5598, the Education Sciences Reform Act of 2002, which will provide for the improvement of Federal education research.

We all know that educational research in all disciplines is critical to the education of America's youth. By requiring that research be based on valid scientific findings, H.R. 5598 will greatly improve the quality of federal scientific research in education.

As has been talked about today, the Education Sciences Reform Act will streamline and strengthen education research by replacing the current Office of Educational Research and Improvement with a new, more independent Institute of Education Science. The institute will provide the infrastructure necessary to undertake coordinated, high quality education research and statistical and program evaluation activities within the Department of Education.

Furthermore, H.R. 5598 establishes quality standards that will put an end to trends in education that masquerade as sensible science, requiring all federally funded activities to meet these new standards of quality, including scientifically based research. H.R. 5598 also makes certain that research priorities focus on solving key problems and are informed by the

needs of teachers, parents and school administrators, rather than political pressure.

Finally, this bill makes technical assistance, including support in carrying out the conditions of No Child Left Behind, "customer-driven" and accountable to school districts, states and regions.

With that in mind, I would like to thank the Chairman of the Education Reform Subcommittee, the gentleman from Delaware, Mr. CASTLE, for his assistance and support of the Southern California Comprehensive Assistance Center (SCCAC). Because of the language included in the bill, regional education agencies like the Los Angeles County Office of Education (LACOE), California's largest regional educational agency, which have been critical in providing hands on technical assistance to low-performing schools and districts, will be competitive for grant funding under the technical assistance title.

Under the leadership of the Los Angeles County Office of Education, the SCCAC provides support, training and assistance to local schools and communities in an effort to improve teaching and learning for all children, including those who live in poverty, have limited-English proficiency, are neglected, delinquent, or have disabilities.

As the gentleman is aware, section 203 of the bill ensures that local entities or consortia eligible to receive grants includes regional educational agencies as well. I want to, once again, thank the Chairman for his assistance in ensuring that our local regional entities are eligible. We are very proud of the work done by our eight county comprehensive assistance center and the value it can bring to this new system.

In closing, I urge the House to vote yes on H.R. 5598, a bill that builds on the Administration's plans to reform America's education system—through accountability, flexibility and local control, research-based reform and expanded parental options. I believe that the passage of this bill will significantly ensure that our children have access to the most advanced educational opportunities possible.

KEEPING CHILDREN AND FAMILIES SAFE ACT OF 2002

SPEECH OF

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 2002

Mr. GEORGE MILLER of California. Mr. Speaker, the Child Abuse Protection and Treatment Act (CAPTA) is the only federal law that focuses on the prevention of child abuse and neglect and the improvement of child protective services to better address the critical needs of children who have been reported as abused and neglected. I am pleased that we have been able to reauthorize this vital program with several key new features that will help facilitate better prevention and treatment efforts.

There are approximately three million reports of child abuse every year. Of these 3 million, nearly 1 million are substantiated. In 1999, an estimated 1,137 children died as a result of abuse and neglect. Children who are abused and neglected are more likely to suffer mental health problems, such as depression,

delinquency, and suicide. Child abuse is also likely to lead to school failure in adolescence and economic instability as adults. With such serious and life-long consequences from child abuse and neglect, clearly greater attention must be given to effective prevention and intervention services.

Our nation's current system of protecting children is heavily weighted toward protecting children who have been so seriously maltreated they are no longer safe at home and must be placed in foster care or adoptive homes. These are children whose safety is in danger; they demand our immediate attention. Unfortunately, far less attention is directed at preventing harm to these children from happening in the first place, or providing the appropriate services and treatment needed by families and children victimized by abuse or neglect.

CAPTA plays an important role in the federal response to protecting children and preventing child maltreatment. CAPTA provides resources for strengthening child protective services systems, so that children and families can be better protected and served. It provides resources for state grants that provide for prevention and treatment services for abused children and children at risk of abuse.

I strongly support Congress' on-going efforts to reauthorize this important legislation to better meet the needs of children, families and communities.

I am especially pleased that in this reauthorization significant improvements have been made to CAPTA overall and that important provisions have been added to Title 1 that that encourage and support new linkages between child protective services, and health, mental health and developmental services. These linkages will prove critical to ensuring that the youngest, most vulnerable children receive the help they need before problems escalate to tragedy. I would urge grantees in implementing these critical linkages to look to the Early and Periodic Screening, Diagnosis and Treatment (EPSDT) protocol in the Medicaid Program to help ensure that comprehensive services are being delivered.

I also support modifications to Title II of the Act to strengthen state support for community-based child abuse and neglect prevention activities. I am disappointed, however, that while the H.R. 5601 includes respite and home visiting in its definition of community-based child abuse and neglect programs and activities, the modifications do eliminate some of the references to respite care and home visiting. Children with disabilities, whose families rely on respite for support, are nearly four times more likely than children without disabilities to be abused or neglected.

I would also like to register my disagreement with language in the Senate report accompanying the CAPTA bill approved by the Senate HELP committee that singled out respite care by saying that it is too expensive and that states should rely on other funding sources to support it. The Senate report cited no data or information to support this misconception.

In fact, there is ample evidence to suggest that respite is a proven, cost-effective approach to child abuse and neglect prevention. Research overwhelmingly demonstrates that respite and crisis nurseries are directly linked to reductions in abuse and neglect and in avoiding much more costly out-of-home institutional or foster care placements.

One Iowa crisis program found a 13% decrease in the reported incidence of child abuse and neglect in the initial four pilot counties after the program's implementation (Cowen, Perle Slavik, 1992).

In a recent evaluation study of families of children at risk of abuse or neglect who utilized Family Support Services of the Bay Area's Respite Care Program in northern California, over 90% of the families using the service reported reduced stress (93%), improved family relationships (90%), improved positive attitudes toward child (93%), and other significant benefits that can help reduce the risk of abuse (Owens, Sandra, et al, School of Social Welfare, Berkeley, California, 1999).

In April, 1999, the Minnesota Dept. of Human Services, Family and Children's Services Division, reported that crisis nursery clients in 15 crisis nursery programs serving 18 counties showed a 67% reduction in child protection involvement after using nursery services. The Hennepin County Children and Family Services Department's evaluation of the Greater Minneapolis Crisis Nursery found that families with no prior child protection involvement had a 0% risk of subsequent child protection involvement six months after using the Nursery's services. Families with prior child protection involvement who used the Nursery had only an 8% risk compared with an 84% risk for families who did not use the Nursery.

The Relief Nursery in Eugene, Oregon, reports that in 1997–98, 91.3% of children attending the Nursery were free of any reports of abuse, and 89% had no involvement with foster care. This is remarkable, because two-thirds of the families had more than ten risk factors, and 95% had five or more. A family with five risk factors is deemed to be at extremely high risk for abuse and neglect.

An evaluation of the Iowa Respite Child Care Project for families parenting a child with developmental disabilities found that respite care results in a statistically significant decrease in foster care placement (Cowen, Perle Slavik, 1996).

A study of Vermont's respite care program for families of children or adolescents with serious emotional disturbance found that participating families experience fewer out-of-home placements than nonusers and were more optimistic about their future ability to care for their children (Bruns, Eric, November, 15, 1999).

Preliminary data from the ARCH National Resource Center Outcome Evaluation project in which seventeen respite and crisis care programs nationwide participated, show that over 80% of caregivers using crisis respite services for their children reported that the crisis care they received helped protect their child from danger. Nearly half of those caring for children said without respite they would have had to leave their child in unsafe or inappropriate care or requested foster care.

Contrary to the Senate report, respite care can be very cost effective. According to the ARCH National Resource Center on Respite and Crisis Care, an average monthly cost of planned respite care can be estimated by multiplying the average number of hours a family receives respite per month (12), by the average cost of respite per hour (\$10.02). This model suggests an average cost of \$120.24 to provide respite to one individual per month or \$1,442.88 per year. The Child Welfare League of America reports that the average monthly