

House, the only thing certain about next week is that it will be their latest attempt to try to mislead us into believing there are enough bullets and bombs, money and U.S. blood to prevail in Iraq.

The best military in the world is being run into the ground by this President. That's the only truth the evidence supports. Don't believe anything else. The American people had it right in November, and they still have it right today.

The U.S. must end its occupation. There is no other choice for this country, except to continue to shed the blood of our people and waste the resources of this country in Mr. Bush's failure.

□ 1430

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind Members to refrain from using vulgarity.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2007 AND FY 2008 AND THE 5-YEAR PERIOD FY 2008 THROUGH FY 2012

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. SPRATT) is recognized for 5 minutes.

Mr. SPRATT. Mr. Speaker, I am transmitting a status report on the current levels of on-budget spending and revenues for fiscal years 2007 and 2008 and the five-year period of fiscal years 2008 through 2012. This report is necessary to facilitate the application of sections 302 and 311 of the Congressional Budget Act. This status report is current through September 5, 2007.

The term "current level" refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

The first table in the report compares the current level of total budget authority, outlays, and revenues for the fiscal years 2007 and 2008, and the five-year period of fiscal years 2008 through 2012 with the aggregate levels set by S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008. This, comparison is needed to enforce section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal years 2007 and 2008 because appropriations for those years have not yet been considered.

The second table compares the current levels of budget authority and outlays for spending by each authorizing committee with the section 302(a) allocations made under S. Con. Res. 21 for fiscal years 2007 and 2008 and fiscal years 2008 through 2012. This comparison is needed to enforce section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 302(a) allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(c), which exempts committees that comply with their allocations from the point of order under section 311(a).

The third table compares the current levels of discretionary appropriations for fiscal years 2007 and 2008 with the section 302(b) suballocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is also needed to enforce section 302(f) of the Budget Act because the point of order under that section equally applies to measures that would breach the applicable section 302(b) suballocation.

The fourth table gives the current level for fiscal years 2009 and 2010 of accounts identified for advance appropriations under Section 206 of S. Con. Res. 21. This list is needed to enforce the budget resolution, which prohibits advance appropriations that are: (i) not identified in the statement of managers or (ii) would cause the aggregate amount of such appropriations to exceed the level specified in the resolution.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET—STATUS OF THE FISCAL YEAR 2008 CONGRESSIONAL BUDGET ADOPTED IN S. CON. RES. 21

[Reflecting action completed as of September 5, 2007—On-budget amounts, in millions of dollars]

	Fiscal years		
	2007	2008 ¹	2008–2012
Appropriate Level:			
Budget authority	2,255,570	2,350,357	n.a.
Outlays	2,268,649	2,353,992	n.a.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET—STATUS OF THE FISCAL YEAR 2008 CONGRESSIONAL BUDGET ADOPTED IN S. CON. RES. 21—Continued

[Reflecting action completed as of September 5, 2007—On-budget amounts, in millions of dollars]

	Fiscal years		
	2007	2008 ¹	2008–2012
Revenues	1,900,340	2,015,841	11,137,671
Current Level:			
Budget authority	2,255,570	1,422,249	n.a.
Outlays	2,268,649	1,766,864	n.a.
Revenues	1,904,516	2,050,418	11,313,523
Current Level over (+) / under (–) Appropriate Level:			
Budget authority	0	–928,108	n.a.
Outlays	0	–587,128	n.a.
Revenues	4,176	34,577	175,852

n.a. = Not applicable because annual appropriations Acts for fiscal years 2009 through 2012 will not be considered until future sessions of Congress.
¹ Pending action by the House Appropriations Committee on spending covered by section 207(d)(1)(E) (overseas deployments and related activities), resolution assumptions are not included in the appropriate level.

BUDGET AUTHORITY

Enactment of measures providing any new budget authority for FY 2007 (if not already included in the current level estimate) would cause FY 2007 budget authority to exceed the appropriate level set by S. Con. Res. 21.

Enactment of measures providing new budget authority for FY 2008 in excess of \$928,108,000,000 (if not already included in the current level estimate) would cause FY 2008 budget authority to exceed the appropriate level set by S. Con. Res. 21.

OUTLAYS

Enactment of measures providing any new outlays for FY 2007 (if not already included in the current level estimate) would cause FY 2007 outlays to exceed the appropriate level set by S. Con. Res. 21.

Enactment of measures providing new outlays for FY 2008 in excess of \$587,128,000,000 (if not already included in the current level estimate) would cause FY 2008 outlays to exceed the appropriate level set by S. Con. Res. 21.

REVENUES

Enactment of measures resulting in revenue reduction for FY 2007 in excess of \$4,176,000,000 (if not already included in the current estimate) would cause FY 2007 revenue to fall below the appropriate level set by S. Con. Res. 21.

Enactment of measures resulting in revenue reduction for FY 2008 in excess of \$34,577,000,000 (if not already included in the current estimate) would cause FY 2008 revenue to fall below the appropriate level set by S. Con. Res. 21.

Enactment of measures resulting in revenue reduction for the period of fiscal years 2008 through 2012 in excess of \$175,852,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate levels set by S. Con. Res. 21.

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES REFLECTING ACTION COMPLETED AS OF SEPTEMBER 5, 2007

[Fiscal years, in millions of dollars]

House committee	2007		2008		2008–2012 total	
	BA	Outlays	BA	Outlays	BA	Outlays
Agriculture:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Armed Services:						
Allocation	0	0	–50	–50	–410	–410
Current Level	0	0	0	0	0	0
Difference	0	0	50	50	410	410
Education and Labor:						
Allocation	13	4	–150	–145	–750	–742
Current Level	13	4	0	5	0	8
Difference	0	0	150	150	750	750
Energy and Commerce:						
Allocation	–1	–1	134	132	89	87
Current Level	–1	–1	134	132	89	87

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES REFLECTING ACTION COMPLETED AS OF SEPTEMBER 5, 2007—Continued

[Fiscal years, in millions of dollars]

House committee	2007		2008		2008–2012 total	
	BA	Outlays	BA	Outlays	BA	Outlays
Difference	0	0	0	0	0	0
Financial Services:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Foreign Affairs:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Homeland Security:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	-425	0	-500
Difference	0	0	0	-425	0	-500
House Administration:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Judiciary:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Natural Resources:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Oversight and Government Reform:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Science and Technology:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Small Business:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Transportation and Infrastructure:						
Allocation	0	0	125	0	1,525	0
Current Level	0	0	0	0	0	0
Difference	0	0	-125	0	-1,525	0
Veterans' Affairs:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Ways and Means:						
Allocation	0	0	-38	-38	-98	-98
Current Level	0	0	-38	-38	-98	-98
Difference	0	0	0	0	0	0

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2007—COMPARISON OF CURRENT LEVEL WITH APPROPRIATIONS COMMITTEE 302(A) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(B) SUBALLOCATIONS

[in millions of dollars]

Appropriations Subcommittee	302(b) suballocations as of Sept. 5, 2007 (H. Rpt. 110–182)		Current level reflecting action completed as of Sept. 5, 2007		Current level minus suballocations	
	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	18,569	19,356	0	0		
Commerce, Justice, Science	51,950	52,236	51,950	52,236	0	0
Defense	489,519	499,510	489,519	499,510	0	0
Energy and Water Development	30,296	29,882	30,296	29,882	0	0
Financial Services and General Government	19,488	20,360	19,488	20,360	0	0
Homeland Security	33,962	41,195	33,962	41,195	0	0
Interior, Environment	26,411	27,569	26,411	27,569	0	0
Labor, Health and Human Services, Education	144,766	145,567	144,766	145,567	0	0
Legislative Branch	3,774	3,950	3,774	3,950	0	0
Military Construction, Veterans Affairs	49,752	46,889	49,752	46,889	0	0
State, Foreign Operations	31,358	35,186	31,358	35,186	0	0
Transportation, HUD	50,471	107,765	50,471	107,765	0	0
Unassigned (full committee allowance)	0	0	0	0	0	0
Total (Section 302(a) Allocation)	950,316	1,029,465	950,316	1,029,465	0	0

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2008—COMPARISON OF CURRENT LEVEL WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUBALLOCATIONS

[In millions of dollars]

Appropriations subcommittee	302(b) suballocations as of Sept. 5, 2007 (H. Rpt. 110–236)		Current level reflecting action completed as of Sept. 5, 2007		Current level minus suballocations	
	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	18,817	20,027	7	5,437	-18,810	-14,590
Commerce, Justice, Science	53,551	55,318	0	20,389	-53,551	-34,929
Defense ¹	459,332	475,980	45	163,831	-459,287	-312,149
Energy and Water Development	31,603	32,774	0	13,178	-31,603	-19,596
Financial Services and General Government	21,434	21,665	80	4,323	-21,354	-17,342
Homeland Security	36,262	38,247	0	17,112	-36,262	-21,135
Interior, Environment	27,598	28,513	0	11,198	-27,598	-17,315
Labor, Health and Human Services, Education	151,748	148,174	19,151	100,179	-132,597	-47,995
Legislative Branch	4,024	4,042	0	606	-4,024	-3,436
Military Construction, Veterans Affairs	64,745	54,832	-2,414	14,260	-67,159	-40,572
State, Foreign Operations ¹	34,243	33,351	0	16,400	-34,243	-16,951
Transportation, HUD	50,738	114,528	4,193	71,015	-46,545	-43,513
Unassigned (full committee allowance)	0	1,646	0	0	0	-1,646
Total (Section 302(a) Allocation)	954,095	1,029,097	21,062	437,928	-933,033	-591,169

¹ Change from previous report for current level reflects reallocation of \$7 million in prior year outlays to correct committee of jurisdiction.

FY2009 AND 2010 ADVANCE APPROPRIATIONS UNDER SECTION 206 OF S. CON. RES. 21
[Budget authority in millions of dollars]

	2009	2010
Appropriate Level	25,558	25,558
Accounts Identified for Advances:		
Corporation for Public Broadcasting	400	0
Employment and Training Administration	0	0
Education for the Disadvantaged	0	0
School Improvement	0	0
Children and Family Services (Head Start)	0	0
Special Education	0	0
Vocational and Adult Education	0	0
Payment to Postal Service	0	0
Section 8 Renewals	0	0

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 6, 2007.
Hon. JOHN M. SPRATT, Jr.,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2007 budget and is current through September 5, 2007. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, as approved by the Senate and the House of Representatives.

Pursuant to section 204(b) of S. Con. Res. 21, provisions designated as emergency re-

quirements are exempt from enforcement of the budget resolution. As a result, the enclosed current level report excludes these amounts (see footnote 1 of the report).

Since my last letter to you, dated June 11, 2007, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, or revenues for fiscal year 2007: An act to extend the authorities of the Andean Trade Preference Act until February 29, 2008 (P.L. 110-42); and a bill to provide for the extension of Transitional Medical Assistance (TMA) and the Abstinence Education Program through the end of fiscal year 2007, and for other purposes (P.L. 110-48).

Sincerely,
ROBERT A. SUNSHINE
(For Peter R. Orszag, Director).

Enclosure.

FISCAL YEAR 2007 HOUSE CURRENT LEVEL REPORT AS OF SEPTEMBER 5, 2007

[In millions of dollars]

	Budget authority	Outlays	Revenues
Enacted in previous session:			
Revenues	n.a.	n.a.	1,904,706
Permanents and other spending legislation	1,350,273	1,299,295	n.a.
Appropriation legislation	1,477,616	1,540,849	n.a.
Offsetting receipts	-571,507	-571,507	n.a.
Total, enacted in previous session	2,256,382	2,268,637	1,904,706
Enacted this session:			
U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (P.L. 110-28) ¹	-794	9	-166
An Act to extend the authorities of the Andean Trade Preference Act until February 29, 2008 (P.L. 110-42)	0	0	-24
A bill to provide for the extension of Transitional Medical Assistance (TMA) and the Abstinence Education Program through the end of fiscal year 2007, and for other purposes (P.L. 110-48)	12	3	0
Total, enacted this session	-782	12	-190
Entitlements and mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	-30	0	0
Total Current Level ^{1,2}	2,255,570	2,268,649	1,904,516
Total Budget Resolution ³	2,380,359	2,300,575	1,900,340
Adjustment to budget resolution for emergency requirements ⁴	-124,789	-31,926	0
Adjusted Budget Resolution	2,255,570	2,268,649	1,900,340
Current Level Over Adjusted Budget Resolution	0	0	4,176
Current Level Under Adjusted Budget Resolution	0	0	n.a.

Notes.—n.a. = not applicable; P.L. = Public Law.

1. Pursuant to section 204(b) of S. Con. Res. 21 the Concurrent Resolution on the Budget for Fiscal Year 2008, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. The amounts so designated for fiscal year 2007, which are not included in the current level totals, are as follows:

	Budget authority	Outlays	Revenues
U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (P.L. 110-28)	120,803	31,116	n.a.

2. Excludes administrative expenses of the Social Security Administration, which are off-budget.

3. Periodically, the House Committee on the Budget revises the totals in S. Con. Res. 21, pursuant to various provisions of the resolution.

	Budget authority	Outlays	Revenues
Original Resolution Levels	2,380,535	2,300,572	1,900,340
Revisions:			
To reflect the difference between the assumed and actual nonemergency supplemental appropriations for fiscal year 2007 (section 207(f))	-188	0	0
For extension of the Transitional Medical Assistance (TMA) program (section 320(c))	12	3	0
Revised Resolution Levels	2,380,359	2,300,575	1,900,340

4. S. Con. Res. 21 assumed \$124,789 million in budget authority and \$31,926 million in outlays from emergency supplemental appropriations. Such emergency amounts are exempt from the enforcement of the budget resolution. Since current level totals exclude the emergency requirements enacted in P.L. 110-28 (see footnote 1 above), budget authority and outlay totals specified in the budget resolution have also been reduced (by the amounts assumed for emergency supplemental appropriations) for purposes of comparison.

Source: Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 6, 2007.
Hon. JOHN M. SPRATT, Jr.,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2008 budget and is current through September 5, 2007. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S.

Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, as approved by the Senate and the House of Representatives.

Pursuant to section 204(b) of S. Con. Res. 21, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the enclosed current level report excludes these amounts (see footnote 1 of the report).

Since my last letter to you, dated June 11, 2007, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, or revenues for fiscal year 2008: An act to extend the authorities of the Andean Trade Preference Act until February 29, 2008 (P.L. 110-42); a bill to

provide for the extension of Transitional Medical Assistance (TMA) and the Abstinence Education Program through the end of fiscal year 2007, and for other purposes (P.L. 110-48); a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes (P.L. 110-52); and Implementing Recommendations of the 9/11 Commission Act of 2007 (P.L. 110-53).

Sincerely,
ROBERT A. SUNSHINE
(For Peter R. Orszag, Director).

Enclosure.

FISCAL YEAR 2008 HOUSE CURRENT LEVEL REPORT AS OF SEPTEMBER 5, 2007

[In millions of dollars]

	Budget au- thority	Outlays	Revenues
Enacted in previous session:			
Revenues	n.a.	n.a.	2,050,796
Permanents and other spending legislation	1,450,532	1,390,018	n.a.
Appropriation legislation	0	419,862	n.a.
Offsetting receipts	-575,635	-575,635	n.a.
Total, enacted in previous session	874,897	1,234,245	2,050,796
Enacted this session:			
U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (P.L. 110-28) ¹	1	42	-335
An act to extend the authorities of the Andean Trade Preference Act until February 29, 2008 (P.L. 110-42)	0	0	-41
A bill to provide for the extension of Transitional Medical Assistance (TMA) and the Abstinence Education Program through the end of fiscal year 2007, and for other purposes (P.L. 110-48)	96	99	0
A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes (P.L. 110-52)	0	0	-2
Implementing Recommendations of the 9/11 Commission Act of 2007 (P.L. 110-53)	0	-425	0
Total, enacted this session	97	-284	-378
Entitlements and mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	547,255	532,903	0
Total Current Level 1, 2	1,422,249	1,766,864	2,050,418
Total Budget Resolution 3	2,496,125	2,469,736	2,015,841
Adjustment to budget resolution for emergency requirements 4	-606	-49,990	n.a.
Adjustment to the budget resolution pursuant to section 207(d)(1)(E) 5	-145,162	-65,754	n.a.
Adjusted Budget Resolution	2,350,357	2,353,992	2,015,841
Current Level Over Adjusted Budget Resolution	n.a.	n.a.	34,577
Current Level Under Adjusted Budget Resolution	928,108	587,128	n.a.
Memorandum:			
Revenues, 2008-2012:			
House Current Level	n.a.	n.a.	11,313,523
House Budget Resolution	n.a.	n.a.	11,137,671
Adjusted Budget Resolution	n.a.	n.a.	11,137,671
Current Level Over Adjusted Budget Resolution	n.a.	n.a.	175,852
Current Level Under Adjusted Budget Resolution	n.a.	n.a.	n.a.

Note.—n.a. = not applicable; P.L. = Public Law.

1. Pursuant to section 204(b) of S. Con. Res. 21 the Concurrent Resolution on the Budget for Fiscal Year 2008, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. The amounts so designated for fiscal year 2008, which are not included in the current level totals, are as follows:

	Budget au- thority	Outlays	Revenues
U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (P.L. 110-28)	605	48,639	n.a.

2. Excludes administrative expenses of the Social Security Administration, which are off-budget.

3. Periodically, the House Committee on the Budget revises the totals in S. Con. Res. 21, pursuant to various provisions of the resolution:

	Budget au- thority	Outlays	Revenues
Original Resolution Levels	2,496,028	2,469,636	2,015,858
Revisions:			
To reflect the difference between the assumed and actual nonemergency supplemental appropriations for fiscal year 2007 (section 207(f))	1	1	-17
For extension of the Transitional Medical Assistance (TMA) program (section 320(c))	96	99	0
Revised Resolution Levels	2,496,125	2,469,736	2,015,841

4. S. Con. Res. 21 assumed \$606 million in budget authority and \$49,990 million in outlays from emergency supplemental appropriations. Such emergency amounts are exempt from the enforcement of the budget resolution. Since current level totals exclude the emergency requirements enacted in P.L. 110-28 (see footnote 1 above), budget authority and outlay totals specified in the budget resolution have also been reduced (by the amounts assumed for emergency supplemental appropriations) for purposes of comparison.

5. Section 207(d)(1)(E) of S. Con. Res. 21 assumed \$145,162 million in budget authority and \$65,754 million in outlays for overseas deployment and related activities. Pending action by the House Committee on Appropriations, the House Committee on the Budget has directed that these amounts be excluded from the budget resolution aggregates in the current level report.

Source: Congressional Budget Office.

REAUTHORIZATION OF NO CHILD LEFT BEHIND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. GARRETT) is recognized for 5 minutes.

Mr. GARRETT of New Jersey. Mr. Speaker, with all the various important issues that we have been debating on the floor, we should remember one very important issue dealing with education of our children that will be considered here in the House very soon, and, most specifically, that deals with the reauthorization of NCLB, No Child Left Behind.

So I come to the floor tonight to address some of the concerns and problems with NCLB and offer a possible solution. That solution, by the way, is the legislation I have submitted, H.R. 3177, the LEARN Act, the Local Education Authority Returns Now, allowing States and parents and local communities to regain control of their edu-

cation and not have it be here in Washington, DC.

As we're all aware, NCLB is really simply a reauthorization of the Elementary and Secondary Act, that's ESEA, from the 1960s. What I've done is I've looked back over the past reauthorizations of ESEA, and I've noticed a very troubling trend. With every single reauthorization, new problems are always found for America's schools, and with every new problem, the solution is always more Federal involvement.

You know, all the way back in 1983, almost a quarter of a century ago, a famous report came out. It was called, "A Nation at Risk," and it said that America had fallen dangerously behind the rest of the world in education; but, today, new studies are saying much the same thing.

According to the National Center for Education Science, in 2003 U.S. fourth graders were outperformed by their peers in eleven other countries, includ-

ing four Asian countries and seven European countries. U.S. eighth graders were outperformed by their peers in nine countries, including five Asian and four European.

Yet, today, as a percentage of GDP after NCLB, we are still spending more money on education now than at any time in U.S. history. We have increased the paperwork, the requirements for the teachers, more taxpayer dollars, increased administration's burden; but we've decreased the flexibility for the teachers and the power in the classroom.

So let me just present two charts, and I would like to thank the work of Dr. Anthony Davies of the Donahue Graduate School of Business of Duquesne University, to make this point. If we look at this chart, the chart shows noninstructional spending and instructional spending in our schools. The top is eighth graders. The bottom is fourth graders.