

hour and dollar spent in administering No Child Left Behind could be funneled instead into improving our schools.

Thirdly, A-PLUS Act will ensure that parents, schools and the States are held accountable for the education process. Rather than allowing oversight to rest in some far-flung bureaucracies here in Washington, it will be right at home here in your local school district. But most importantly, giving States the freedom to keep their education dollars in oversight within their own State is exactly what our Founding Fathers originally intended.

James Madison, often considered the father of the Constitution, will be remembered this coming Friday, March 16, on the 250th anniversary of his birth.

In a way, Madison predicted this situation we now find ourselves in, when he wrote, "In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself."

It is time for us to explain why we are not controlling ourselves. Our Founding Fathers deliberately wrote a Constitution of enumerated specific powers. While some countries have attempted to limit government by writing Constitutions that specify every single thing and every single line, our government Constitution does not do that. Therefore, in Article I, Section 8, the founders specifically listed congressional powers, and in the 10th amendment grants that all other legislative powers are in the hands of States or the people respectively.

So, in essence, it makes sense that Congress should perform duties only prescribed by the Constitution. When you think about it, the United States has thrived as a nation precisely because the freedom of the people has been protected by a limited government. The Constitution is the anchor that protects American citizens from the storms of a controlling central government.

James Madison wrote also in *The Federalist* No. 45, "The powers delegated by the proposed Constitution to the Federal Government are few and defined." He would add, probably, that education is not one of them. So Mr. HOEKSTRA's common-sense legislation follows Madison's insights by ensuring that the States have the opportunity to retain control over their own education dollars. Doing so will not only improve the quality of the education system, but will help return our Nation to the principles of limited government, federalism, and the 10th amendment.

#### INTRODUCTION OF THE SHORT SEA SHIPPING PROMOTION ACT OF 2007

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, when I assumed the chairmanship of the Subcommittee on Coast Guard and Maritime Transportation at the beginning of the 110th Congress, I promised that the subcommittee would balance oversight of the Coast Guard with our responsibility to strengthen maritime transportation.

On February 15, the subcommittee began to fulfill that promise by holding a hearing on short sea shipping, which is the waterborne transportation of goods and people from one domestic port in the United States to another port in the United States or between Canada and the U.S.

At the present time, trucks carry nearly 70 percent of the freight tonnage transported in the United States. By contrast, the most highly developed water freight transportation routes in the United States, those running on the Mississippi River, the Great Lakes and the Saint Lawrence Seaway carry just 13 percent of the freight tonnage within the United States.

Mr. Speaker, the impact of our continued reliance on trucks to move freight will be measured in increased traffic congestion, increases in polluting emissions and increases in accidents between trucks and cars.

However, the only way that we will shift freight transportation away from an increasing volume of trucks is by creating affordable reliable transportation alternatives. I believe that one of these alternatives must be short sea shipping.

During our February hearing, our subcommittee heard compelling testimony arguing that one of the challenges currently limiting the growth of short sea shipping is a requirement that with only a few exceptions cargo transported by water to a port in the United States must pay the harbor maintenance tax. This tax, assessed at the rate of \$125 per \$100,000 of cargo value adds to the costs associated with waterborne transportation and is one factor currently making such transportation less competitive than trucks and other modes.

Importantly, if the cargo originated in Europe and is off-loaded in New York, just to be reloaded on a ship bound for Jacksonville, Florida then the cargo owner must pay the harbor tax twice.

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Further, the tax is paid, not by the ship owner, but by the shipper of the goods. So imagine that a FedEx truck wants to get on a ferry in Windsor, Canada, and be off loaded just across the river in Detroit, Michigan. Each of the owners of the 500 packages that are in the truck must pay the harbor maintenance tax. There is simply no easy way to collect the tax from so many different packages, so the truck travels to the United States across the bridge.

In part, because it acts to limit the growth of short sea shipping, the har-

bor maintenance tax generates only about \$2 million per year in revenue from short sea shipping voyages, but stands as a costly barrier to the expansion of short sea shipping options.

Today, therefore, I have introduced the Short Sea Shipping Promotion Act of 2007, which would exempt goods moved by water from one port in the United States to another port in the United States or between the United States and Canada from the harbor maintenance tax.

This exemption will not significantly reduce revenues into the harbor maintenance trust fund, which already has a significant fund balance, but could help open a significant new course for the movement of freight by water.

Our Nation urgently needs to take practical steps to address the significant challenges we face in maintaining the flow of freight on which our economy depends.

As chairman of the Coast Guard and Maritime Transportation Subcommittee, the measure I have introduced today is just the first step of a concerted and deliberate effort I will undertake to support the potential of maritime transportation, in general, and short sea shipping, in particular, to be a reliable, cost-effective mode in our national transportation network.

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

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

#### A-PLUS ACT (NO CHILD LEFT BEHIND REFORM)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, I rise today to address important changes to the No Child Left Behind Act. I recently held a roundtable discussion on this issue with my constituents from all over the Fifth District held in Forsyth County, North Carolina. It was a great opportunity for me to hear from superintendents, board of education members, principals and teachers from across the district about their concerns with No Child Left Behind and their recommendations for program improvements.

As a member of the House Committee on Education and Labor, it was important for me to hear firsthand what educators believe is working and is not working in No Child Left Behind.

One of the main concerns brought to me during this roundtable was the role that special education students play in the Federal oversight process. Due to the wide-ranging needs and challenges faced by special needs students, it is becoming increasingly difficult for schools to meet Federal standards.

It is apparent that the subgroup of special needs students is not accounted for in the way No Child Left Behind enforces standards on a state-wide basis. In fact, the unique needs of special needs students is often the only reason many of North Carolina's excellent schools do not reach AYP, or average yearly progress.

Based on what North Carolina's educators are saying, the A-PLUS Act is a step in the right direction that responds to the needs of our teachers and students.

The A-PLUS Act preserves States rights while keeping essential funding for our schools intact.

Instead of cumbersome Federal mandates that take a cookie-cutter approach to education, the A-PLUS Act would give States the constitutional freedom to set their own education policies, based on the needs of their students, without burdensome Federal Government intrusion.

This bill reduces the burden that Federal financial support poses on education programs so that teachers can focus on educating instead of paperwork and bureaucratic mandates. We have many wonderful teachers out there doing their best every day to do their job, and they are distracted from doing their job by this paperwork.

By giving States back their full constitutional right to set education policy, this bill will encourage innovative solutions to the unique education issues faced by every State.

The A-PLUS Act provides States and their local communities with maximum freedom and flexibility to determine how to improve academic achievement and implement education reforms.

State and local governments should be in control of education policies, and the Federal Government's limits the responsibility should lie in providing incentives and accountability. Thus, A-PLUS allows States and local school systems the freedom to set up local accountability plans.

In conclusion, local accountability places the emphasis where it should be, on students, parents and teachers, instead of on an often unresponsive Federal bureaucracy.

And I want to support the comments made by my colleague from New Jersey, who reminds us that the Constitution doesn't have the word "education" anywhere in it. It is not the role of the Federal Government to provide for the education of our children. It is the role of the States, the localities and parents, and I applaud him for bringing that to our attention. We need to have that brought to our attention every time the Federal Government starts getting involved in an inappropriate way.

#### APPEAL FOR ENACTMENT OF THE EMPLOYEE FREE CHOICE ACT

The SPEAKER pro tempore (Mrs. TAUSCHER). Under a previous order of

the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

Mr. ALLEN. Madam Speaker, I rise to express my continued support for the Employee Free Choice Act, a bill which the House passed 2 weeks ago which I hope the Senate will soon consider.

I was proud to support House passage of the Employee Free Choice Act because I believe that the current law places undue burdens on workers who are trying to exercise their rights to organize.

Under the current law, workers are often subject to intimidation, and employers receive a slap on the hand for illegal activities. One study recently conducted by the University of Illinois found that 30 percent of employers fire pro-union workers, 49 percent threaten to close a work site, and 51 percent coerce employees with bribes or favoritism.

Because of these acts, many workers are afraid to vote for a union against the wishes of their employer, even in private.

If those statistics are not compelling enough, I urge my colleagues to consider the fact that the United States is the only industrialized Nation to have a union avoidance industry of any size. This industry, on which corporations spend hundreds of millions of dollars a year, exists solely to help businesses resist unionization efforts and undermine union strength.

The Employee Free Choice Act would close the legal and illegal avenues to intimidation that some employers use, thereby strengthening employees' ability to choose.

It would discourage the firing of employees by increasing fines and penalties during the election process. It would guarantee that first contract negotiations don't drag out for years by requiring mediation and arbitration to end delays.

The Employee Free Choice Act would allow the use of card check procedures, in which a majority of workers, not just a majority of voters, sign cards authorizing a union.

Why is it so important to ensure access to unions? Inequality is rising in our country. Two years ago, Alan Greenspan said: "A free market society is ill served by an economy in which the rewards are distributed in a way which too many of our population do not feel is appropriate."

Whether or not you agree that increasing inequality in our country is tied to declining union membership, one thing is clear: unionized workers have better rates of health care coverage, better wages, and are five times more likely to have a pension.

Access to health care, better wages, secure pension: these are the things the House is trying to give back to the middle class in America. Making our economy work for everyone is a complicated, ongoing process. The Employee Free Choice Act is one impor-

tant step we can take toward accomplishing that goal.

In many American workplaces, the process of forming a union is contentious. Yet, though they may differ over issues like wages, health care and pensions, employees, supervisors, and company owners are all striving for the same goal, to make their company work and for competitiveness in a global economy.

Finding a middle ground on questions of compensation, training and health care boosts American productivity, innovation, and competitiveness. When employers control the outcome, we not only cheat workers; we cheat our economic future.

As we approach 2020, our income distribution is trending toward that of 1920. Americans don't want to be left to the market-based whims of health savings accounts, privatized Social Security, or personal job retraining accounts. They want a government that ensures that individuals can provide for themselves and their families.

Senator Wagner wrote the National Labor Relations Act in 1934 to ensure that workers would have an unambiguous, unmitigated right to representation in the workplace. He said then that "the denial or observance of this right means the difference between despotism and democracy."

It is unfortunate that the Employee Free Choice Act faces obstacles in the Senate, but it is time to give Americans a fair shot at organizing again. Everyone deserves protection under the law.

I urge my colleagues in the Senate to support the Employee Free Choice Act.

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

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

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.)

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

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

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

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