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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. THORNBERRY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 21, 1999.

I hereby appoint the Honorable MAC THORNBERRY to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Reverend Timothy J. O'Brien, Ph.D., Marquette University-Les Aspin Center for Government, Washington, D.C., offered the following prayer:

Let us pray. O Gracious and Loving God, we acknowledge and honor You as the source of life and the reservoir of our hope. Guide the Members of this Congress in the pursuit of Your will for the well-being of this Nation. May Your spirit guide the deliberations of this Chamber, inspiring in all of us a passion for peace and a rigorous desire to labor for what is good and decent. Bless those who commit their lives to serving others, especially to those who are entrusted with public responsibilities. May these elected leaders, as well as their families, experience the joy of knowing that You accompany them on their daily journeys. For this we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. HEFLEY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HEFLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from North Carolina (Mr. BALLENGER) come forward and lead the House in the Pledge of Allegiance.

Mr. BALLENGER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 1663. An act to recognize National Medal of Honor sites in California, Indiana, and South Carolina.

The message also announced that Mr. DOMENICI be a conferee, on the part of the Senate, on the bill (H.R. 3064) ''An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes,'' vice Mr. KYL.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain fifteen 1-minutes on each side.

LOCKBOX HELD HOSTAGE

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, the Democratic leadership in the other body has just gotten caught with both hands stuck in that cookie jar of the Social Security Trust Fund. On May 26 of this year, 147 days ago, I joined with 415 of my colleagues in supporting H.R. 1259. That is the Social Security Lockbox.

The fight to stop the raid on Social Security in this year's budget debate offers the best possible reason for passing the Social Security Lockbox bill. If the lockbox were in place this year, the big spenders would have to think twice before trying to go after the funds that rightly should be set aside for seniors of today and tomorrow.

Unfortunately, the Democratic leadership in the other body has failed to act on this vital legislation. The Democratic leadership refuses to allow this bill to be brought to the floor for a vote. Six times there has been an effort to end their filibuster, and six times, unfortunately, that effort has failed. The Democratic leadership has held the lockbox hostage for 147 days, and 147 days is long enough. It is time for the Democratic leadership in the other body to get its act together.

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AMERICAN PUBLIC SHOULD TRUST DEMOCRAT PARTY TO SAVE SOCIAL SECURITY

(Ms. KILPATRICK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KILPATRICK. Mr. Speaker, American people, do not be fooled. Who do you trust to save your Social Security System, the most important system that this government has put forward since the early 1930s? I am sure you support and trust the party who fought back an $800 billion tax cut this year that would have not put a penny into Social Security. I am sure the American people support the party who will fight, who have shown to their leadership that they, and we will, protect the Social Security system.

American people, do not be fooled. Social Security is sound, and we Democrats will make sure that it will be until the new century.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all Members that the House rules prohibit urging action in the other body.

UNIVERSITY OF MIAMI RESEARCH TEAM MAKING STRIDES IN FINDING A CURE FOR DIABETES

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, what do Halle Berry, Mary Tyler Moore, Miss America, and another 16 million Americans have in common? Diabetes.

In the last 40 years, we have seen a dramatic increase in the number of Americans with diabetes, and this year 200,000 will lose their lives to this disease, making it the sixth leading cause of death. In fact, this disease has grown so much that the Centers for Disease Control and Prevention have labeled diabetes as the epidemic of our time.

While much work and research remains to be done in this field, scientists at the University of Miami are making gigantic strides that may very well soon lead to a cure. Dr. Camilo Ricordi and Dr. Norma Kenyon are conducting exceptional work in the field of medical research. Their current work studies with anti-CD154, an artificial antibody, has succeeded in curing monkeys from potentially fatal causes of diabetes. Further progress will soon replace harmful and less effective drugs, and may allow some diabetic patients to lead normal, healthy lives without depending on needles and insulin.

Mr. Speaker, I congratulate the championship research team at the University of Miami.

USE HONEST BUDGETING, NOT GIMMICKS, AND FINALIZE FY 2000 APPROPRIATIONS BILLS

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, just this past week I received lots of mail, especially from women in Texas, telling me how important Social Security really is to them. Social Security lifts 366,000 Texas women out of poverty, and it lowers the poverty rate among elderly women in this State from 55 to 19 percent.

It is distressing to me that while the elderly in my State are worried about the future of Social Security, the Republican-led Congressional Budget Office has revealed that the majority party's leadership has already used more than $1 billion from the Social Security surplus.

Mr. Speaker, we have to stop it. Let us use honest budgeting and not gimmicks, and talking about a lockbox, when we know it is being ignored. We understand clearly that we cannot use $13 billion from Social Security and save it at the same time.

Mr. Speaker, the people of my State and the people of this Nation want us to save Social Security.

PATH TO SECURE FUTURE IS A GOOD EDUCATION

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, every American child deserves a secure future, and the path to the secure future is a good education. But too many of our Nation's most disadvantaged children are having their hopes and dreams dashed by failing schools.

It is time for a new approach. It is time to give these kids a chance to get out of the schools that are not working and get into ones that are. And it is time to recognize that no matter how much money we spend, our Nation's worst schools will never meet their responsibility to the students as long as the Federal Government ensnares those schools in red tape.

The Democrat solution is to keep spending more and more money on a failing system. The Republican solution is, spend the money, yes, but to reform the system as well.

In the coming weeks, the House will have the opportunity to rekindle the flame of hope for those children whose only hope lies within the schoolhouse walls, and I hope we will do it.

U.S. SHOULD SEND UNITED NATIONS A BILL

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, the White House says we will lose our vote if we do not give $1 billion to the United Nations. Some vote, folks. We have the same vote as countries the size of West Virginia trailer parks.

In addition, we now give three times more than Germany, five times more than France, 35 times more than China every year, plus $22 billion in peacekeeping. If that is not enough to ban your nukes, while the White House prepares to veto America's defense bill, the White House wants more foreign aid money from Congress.

Beam me up here. We should not be sending a dime to the United Nations. We should send them a bill.

I yield back all the wars declared by the United Nations that were financed by Uncle Sam and fought by American troops.

PORKER OF THE WEEK AWARD

(Mr. HEFLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HEFLEY. Mr. Speaker, once again the Federal Government is playing a shell game with taxpayers' money. The Department of the Interior has been diverting millions of dollars collected from excise taxes on hunting and fishing equipment to controversial environmental projects.

Congress dictated that the taxes collected be sent back to the States to fund wildlife and sports fishing restoration management programs. However, Fish and Wildlife Service officials diverted money meant to administer programs into a slush fund to pay for 75 pet projects that are not related to hunting. The projects include $385,000 for the spotted owl, $429,000 for Atlantic salmon; $292,000 on wolf programs; $116,000 on the blackfoot ferret; and $791,000 for marine mammals.

Now, some of these may be good projects, but that is not what Congress gave the money for. It is estimated that more than $45 million has been diverted and much of it wasted by the Fish and Wildlife agency. The Fish and Wildlife Service gets my ''Porker of the Week Award.''

WHERE IS THE SECRET REPUBLICAN BUDGET PLAN

(Mr. EDWARDS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDWARDS. Mr. Speaker, day 21. Day 21 of the new fiscal year, and I have one question. Where is the secret Republican budget plan? I asked this 2 days ago, and no Republican colleague could find it for me. I have asked the pages, I have looked in committee hearing rooms, I have looked on the seats of the floor of the House, but I cannot find it anywhere.

The Constitution says that the Congress, not the President, must pass appropriations bills. Yet while they are

criticizing the President, 21 days into the new fiscal year, I cannot find the Republicans' secret budget plan.

Maybe there is a reason for that. Maybe it is because the CBO says their individual proposals would spend billions of dollars of Social Security money, at the very time they are running ads against Democrats saying we are spending Social Security money.

I would suggest for the Republicans to pretend like their proposals are protecting Social Security, is kind of like Al Capone claiming to be a crime fighter.

Day 21. It is time for the Republicans to show the country and the Congress their secret Republican budget plan.

COSPONSOR THE DEFENSE OF PRIVACY ACT

(Mr. CHABOT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHABOT. Mr. Speaker, over the last several years, we have witnessed a drastic increase in the number of Federal Government proposals which erode personal privacy rights and other important civil liberties. These misguided proposals, such as the Federal banking regulators' so-called ''Know Your Customer'' scheme, clearly demonstrate that the Federal agencies continue to promulgate rules and dictate policy without consideration for the ultimate ramifications on the privacy of American families.

To prevent such assaults in the future, I am introducing the Defense of Privacy Act. My legislation will require all Federal agencies to assess the privacy implications of proposed rules and regulations.

Mr. Speaker, this commonsense reform will help agencies focus on important privacy issues while strengthening the privacy rights of every American. I urge my colleagues to cosponsor this important legislation. Let us do all we can to keep Big Brother at bay.

SOCIAL SECURITY SURPLUS

(Mr. GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Speaker, my colleagues on the other side of the aisle leave everything until the last minute. Sometimes I wonder if this Congress could not mess up a one-car funeral.

According to the Congressional Budget Office, they are dipping into the Social Security budget to the tune of $13 billion while spending thousands of dollars on false and misleading ads. Before the appropriations bills are finished, that $13 billion cut into Social Security could rise to $24 billion.

Social Security is one of the most successful domestic programs ever created. It guarantees a retirement security for millions of Americans. It is our responsibility to take the necessary steps to keep Social Security safe and strong, not only for our parents' generation, and not only for our generation, but also for our children's generation.

Where is their plan to extend the life of Social Security? It does not exist. In fact, the leaders in the Republican conference have been quoted many times against Social Security and Medicare, like this one from my colleague from Texas that says, ''No, I'm not going to make such a pledge, not to get into Social Security.''

In fact, the Republican tax plan would have sucked the surplus dry, leaving nothing for strengthening the Social Security Trust Fund, extending Medicare, or even a prescription medication provision.

□ 1015

QUIT PLAYING GAMES WITH SOCIAL SECURITY TRUST FUND

(Mr. HAYWORTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYWORTH. Mr. Speaker, my friends on the left offer so many inaccuracies and there is so little time to respond.

I would agree with one statement from the gentlewoman from Michigan, Mr. Speaker, when she said, do not be fooled. I join her in that sentiment to this degree: Do not be fooled, Mr. Speaker, do not be fooled by the claims now of fealty to Social Security when on this floor just a few nights ago my friends on the left voted against a foreign aid bill, voted to say we ought to send $4 billion more of the Social Security Trust Fund not to save Americans, not to help Americans, but to go to foreign governments.

That is wrong. That is a raid on the trust fund. If in fact they are guardians of Social Security, they should join with us to save 100 percent of the Social Security Trust Fund for Social Security.

We did it this fiscal year for the first time since 1960. Join with us. Quit playing games.

REPUBLICANS HAVE ALREADY DIPPED INTO SOCIAL SECURITY TRUST FUND

(Mr. DOGGETT asked and was given permission to address the House for 1 minute.)

Mr. DOGGETT. Mr. Speaker, ''do not be fooled?'' Well, it is near trick or treat time, and what is the trick that the Republican majority is concerned about? Well, here is the gentleman from Texas (Mr. ARMEY), the majority leader for the Republicans, saying it is Social Security that is a ''bad retirement,'' a ''rotten trick'' on the American people.

As my colleague from Texas was just pointing out (Mr. GREEN), these views are ones that Mr. ARMEY keeps repeating. Questioned just a few years ago he was asked, ''Are you going to take the pledge? Are you going to promise not to cut people's Social Security to meet these promises?'' The gentleman from Texas (Mr. ARMEY): ''No, I am not going to make such a promise.''

Our Republican colleagues are the good folks who now come and tell us they want to preserve the Social Security Trust Fund. They did not vote for Social Security. They do not like Social Security. They want to substitute some privatized Social Security Wall Street private plan for the Social Security that has been so important to the American people over the last 60 years.

Let us protect Social Security, let us recognize the Republicans have already dipped into the Social Security trust fund, and let us preserve Social Security for the future.

TIME TO SLAM DOOR ON PRESIDENT'S PLANS FOR MORE TAXES AND RAIDING SOCIAL SECURITY

(Mr. KNOLLENBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KNOLLENBERG. Mr. Speaker, President Clinton has opened the door to one of massive tax increases on working Americans and raiding Social Security to finance Washington's spending.

Revenues are flooding into the Treasury at record levels, but the President says that is not enough. As the percentage of GDP or income or however we want to look at it, taxes are at an all-time high. But the President says they have to be higher.

We squandered billions in Russia. We have got hundreds of wasteful or questionable programs, paid billions each year to so-called consultants. And still the President says we need more money because he just cannot find anything in the budget he wants to cut. He would rather raise taxes or dip into the Social Security surplus.

Mr. Speaker, the American people want to tell the President no, they do not want the President's higher taxes. This body does not want his higher taxes. Remember the vote, 419–0. They do not want him to take a step backward and raid Social Security. They do not want more spending and bigger Government.

It is time to slam a door on the President's plans for more taxes and raiding Social Security.

PRIVACY

(Mr. MARKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARKEY. Mr. Speaker, there is a terrible travesty about to be visited upon the American people. A deal between the Republican leadership and the White House has been perpetrated.

It will lead to the compromise of every single American's privacy.

Every check they have ever written, every insurance exam for their family, their medical records, the checks they have written out for the last 20 or 30 years, they can all be now sold to anyone who wants to buy them, every secret in their family. This is a deal that the Republican leadership and the White House have signed off on.

If they have their income tax form done for them by H&R Block, there is a law that says they cannot reveal it. But if they use their income tax form to apply for a mortgage, under this new law, they can sell their income tax form. They can give out that information to anyone.

But if they want to complain to Prudential or to Bank One, do not try to call the CEO. He has got an unlisted number at home. He is concerned about his privacy. He does not want them to bother him.

But they do not give a hoot about the ordinary American's privacy.

PRESIDENT IS FOR SOCIAL SECURITY LOCKBOX

(Mr. HERGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HERGER. Mr. Speaker, now even President Clinton is for a Social Security lockbox.

Just yesterday, the President said, ''At a minimum, we should agree on a down payment on reform by passing a Social Security lockbox.''

One hundred, fourteen days ago, House Republicans and Democrats passed my legislation, the Social Security and Medicare Safe Deposit Box Act 416–12. The House of Representatives is committed to not spending one dime of Social Security Trust Fund on unrelated programs, and now the President is on board there, as well.

Mr. Speaker, Senate Republicans have tried seven times to consider the Social Security lockbox, only to be blocked by Senate Democrats.

Mr. Speaker, it appears Senate Democrats are now the only obstacle to achieving a lockbox to protect Social Security surpluses.

SENATE DEMOCRATS ARE SAVING REPUBLICANS

(Mr. GEORGE MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, the Senate Democrats are saving the Republicans. Because if the lockbox that the gentleman from California (Mr. HERGER) talks about was enforced today, they would be under arrest for picking the lock and stealing the Social Security money out of it because them have already spent $13 billion of Social Security money, and they keep saying they have a lockbox.

That is no lockbox. This is an open and revolving door. They have dipped into Social Security time and again in their appropriations bills.

The Congressional Budget Office tells us that already on the running account they have stolen $13 billion of people's Social Security money, and in all likelihood it will be as high as $25 billion in people's Social Security money.

Mr. Speaker, Republicans should remember that, under the Constitution, only they can spend the people's money. They have authorized, they have appropriated the expenditure of $13 billion, $13 billion of the people's Social Security money that they say is in the lockbox.

It is not in the lockbox. It is in the appropriations bills that they have been voting on day after day that exceed the request of the President of the United States. They are lucky that the police are not here arresting them today.

PRESIDENT NEEDS TO SHOW US HIS SOCIAL SECURITY PLAN

(Mr. OSE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OSE. Mr. Speaker, did my colleagues know that Americans today are living longer and having fewer children? This means, in the end, fewer workers in the future to support each Social Security beneficiary.

In 1960, there were 5.1 workers for every person on Social Security. Today that number stands at 3.4, and on our current pace, by the year 2030, that ratio will be down to 2.1. Let me repeat that. There will be two people supporting each Social Security beneficiary.

Mr. Speaker, we need to reform our current Social Security system, and we need to reform it as soon as possible. It has now been 294 days and counting since the President promised to provide reforms to the Social Security plan. He has not delivered.

As my good friends on the other side know, we cannot make up in volume what we lack in a plan.

There is no plan. The President has not given us his machine. Mr. Speaker, I am asking the President, finally, show us your plan.

REPUBLICANS HAVE HANDS IN THE COOKIE JAR

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, the Republican leadership reminds me of the little boy who denies eating cookies even though his mouth is smeared with chocolate and his shirt is covered with crumbs.

According to their own accounting office, the Congressional Budget Office, the Republican leadership's budget already spends $13 billion of the Social Security Trust Fund.

All of the sound and fury from the other side does not match the reality. Their hands are in the cookie jar and the Republican leadership is spending the Social Security surplus.

The Republican leadership has a long history of trying to undermine Social Security. The majority leader has called Social Security a ''rotten trick'' and said it should be ''phased out.''

This is the same party who, 60 years ago, fought fiercely to stop the creation of Social Security. They are still fighting now to spend the surplus and to see, in the long run, that it is phased out.

SOCIAL SECURITY: PEOPLE'S RETIREMENT FUND NOT PRESIDENT'S PERSONAL SLUSH FUND

(Mr. BARTLETT of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Speaker, newspapers reported several days ago that the President has taken a new hard line with Republicans in Congress, saying that he will refuse to sign other spending measures until they address his priorities and ''assure the Social Security surplus is being protected.''

Being protected? Recently the President vetoed the foreign aid bill and has threatened to veto others because they do not spend more. But more of what?

Since the President has refused to accept our reasonable spending measures, he has only who choices left, either raise taxes or raid the Social Security Trust Fund, neither of which Congress will support, nor will I.

If President Clinton was sincere about protecting Social Security, he would sign into law the reasonable spending measures we have passed in Congress and sent to him.

Mr. Speaker, Social Security is the people's retirement fund, not the President's personal slush fund. Stop the raid on Social Security.

REPUBLICANS ONLY NEED TO LOOK IN THE MIRROR FOR WHO IS SPENDING SOCIAL SECURITY SURPLUS

(Ms. RIVERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. RIVERS. Mr. Speaker, let us think about what we have been hearing this morning about attempts to spend Social Security.

First my colleagues on the other side say the President is trying to do it. But, of course, the facts are he cannot appropriate a dime, he does not have the ability. Only Congress, in fact, only the majority can do that.

Well, then they say it is the Democrats in Congress who are trying to spend the Social Security surplus.

What are the facts? The minority cannot spend money on its own. Most appropriation bills are leaving the House passed with overwhelmingly Republican support.

Democrats cannot spend any money on their own. Well, say the Republicans, somebody is spending Social Security. Well, of course somebody is, and the Congressional Budget Office says it is the Republicans who are doing it. And of course the Congressional Budget Office is led by a Republican.

So if the Republicans are committed to finding out who is spending the Social Security surplus, I can tell them where to look. In the mirror.

REPUBLICANS WILL NOT USE TAXES, USER FEES, OR GIMMICKS FOR FUNDING AMERICANS' PRIORITIES

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, over the past few weeks Democrats have been attacking our appropriations bills by suggesting that they do not spend enough. They do not like our budget. However, the only thing they have to stand on is the President's budget and the numerous taxes and user fees included in it.

This week, we voted on the President's alternative to raise taxes and fees $240 over the next 10 years. What was in it? Just a partial list of his so-called offsets and new taxes, tobacco tax, increase the aviation fees, Superfund taxes, increase the agriculture fees, commerce fees, FDA fees, Coast Guard fees, DOT fees, EPA pesticide registration fees, FCC, and Social Security fees, and the list goes on.

Mr. Speaker, we will pass spending bills that fund priorities of the American people. We will not spend the Social Security surplus but we will not do it by heaping on new user fees, gimmicks, and taxes for every turn of an American's life.

FIFTH ANNIVERSARY OF AMERICORPS

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, I am here today to pay tribute to AmeriCorps on its fifth anniversary.

AmeriCorps is a program that gives volunteers the chance to grow while giving millions of others a helping hand. Thanks to AmeriCorps, 4 million children have been tutored, 10,000 homes have been built, 600,000 seniors have been helped today live independently, and disaster survivors have been assisted. That is what I call a successful program.

Recently, some of my colleagues wanted to cut AmeriCorps and they want the funding to be killed. Thankfully they changed their mind. Now over the next 5 years hundreds of thousands of Americans can look forward to richer lives either through the opportunity to help others or through the good fortune of being helped.

I say keep up the good work, AmeriCorps. Happy anniversary. America thanks you.

□ 1030

LET US WORK TOGETHER TO SAVE SOCIAL SECURITY

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Speaker, for those people that might be watching this session arguing between that side and this side, who think it is more important to save Social Security, really the news is so good, because if both sides can work together to make sure the President does not raid the Social Security trust fund, we are going to be so much better off.

For 40 years, we have been spending the Social Security surplus for other government programs. When we did the ''Contract with America,'' we said we were going to balance the budget. We set the target date for 2002. Actually we accomplished it this past year that ended October 1. We balanced the budget without using the Social Security trust fund. So now that we have got both sides working together, let us do that. Let us not start criticizing that we are not spending enough money in these appropriation bills because what that means is you are spending the Social Security surplus. It is tough for politicians in Washington not to spend more money to do more good things for the people in this country simply because they are more apt to get reelected when they spend that money.

Let us be frugal. Let us run our pocketbook and our checking account like everybody else.

ON H.R. 2, TITLE I REAUTHORIZATION

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, today this body will be continuing consideration of H.R. 2, the Student Results Act which reauthorizes ESEA, or Title I. Title I is a vital program for elementary and secondary schools in the territories as well as the States. My district, the Virgin Islands, relies heavily on the resources it provides to educate our children.

We in this body have a responsibility to ensure that this important measure reaches all Americans, and this includes women, people of color, the poor and those for whom English is not their first language. The bill as it exists contains much of the resources and programs our schools need, but we must give the American people the best Title I we can. That means reauthorizing the Women's Education Equity Act, keeping the poverty threshold at 50 percent, including adequate provisions for bilingual education, and saying ''no'' to vouchers.

Our future demands full support of our public school system as the best insurance for a well-educated citizenry. With the passage of the Mink-Woolsey-Sanchez-Morella amendment, we have begun to do that. Young girls and women across America are grateful to our colleagues for this amendment. Now let us pass the Payne amendment, reject the Armey amendment and help our bilingual students.

REPUBLICANS ARE NOT SPENDING SOCIAL SECURITY

(Mr. SESSIONS asked and was given permission to address the House for 1 minute.)

Mr. SESSIONS. Mr. Speaker, today we are listening to political debates and discussions on the floor of the House. I well understand what is occurring here today. But the truth should not be held hostage. The fact of the matter is Republicans for years now have been insisting on us not spending Social Security. As a member of the Committee on Rules, we are under instructions by DICK ARMEY, the majority leader, that there can be no spending bill that comes on the floor of the House of Representatives that would spend Social Security for next year.

In fact, as we now see in yesterday's paper, the chief of staff for the White House says, ''The Republicans' key goal is not to spend the Social Security surplus.'' For the first time in 39 years, this year not one penny of Social Security was used to fund the government operations. I am proud of what Republicans are doing, and the American public can know that the truth of the matter is that we will make sure from this day forward with the new budget that not one penny of Social Security will be spent.

VOTE NO ON TITLE I REAUTHORIZATION

(Mr. RODRIGUEZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODRIGUEZ. Mr. Speaker, we talk about the importance of education; yet when it comes to the education bill, we should all be disappointed in terms of where we are at with that particular bill. We talk about the global economy and yet when we look in terms of responding to the global economy, we should be there in terms of trying to teach dual language instruction, we should be there to try to improve multilingual education, we should be there to try to reinforce bilingual education.

What are we doing? We are doing just the opposite. We are not addressing the needs that we need to address. As we look at the existing piece of legislation, especially Title I, there is some specific language in Title I. It is only addressed to limited English proficiency youngsters. Every other child, if you are an Anglo, if you are black, you do not have to jump through that hoop. The cost incurred is that if you are limited English proficiency, you are required to have to get parental approval. If you are Anglo, you do not have to. If you are black, you do not have to. That is discriminatory.

I would ask that Members seriously consider that we treat everyone in the same fashion and the same form. I would ask that we vote ''no'' on Title I.

REPUBLICANS PROTECT SOCIAL SECURITY

(Mr. TANCREDO asked and was given permission to address the House for 1 minute.)

Mr. TANCREDO. Mr. Speaker, what is a great day this is, in fact. I am incredibly happy to hear the discussion on the floor. I mean, this is amazing, and I hope the American people are paying strict attention here.

After 40 years of control by the Democrats in this House and in the Congress of the United States, after 40 years of spending every single dime of Social Security surplus and, by the way, a lot of money that did not even come into the government of the United States, after 40 years, they traipse to the floor today to say, ''We must protect Social Security.''

What a great battle we have won for the minds of the American public when even they are now saying they need to protect Social Security. As for the President's opinion on this, as to whether or not he wants to protect Social Security, I ask you all to think carefully of the last time you heard the President of the United States say he was going to veto a bill because it spent too much money. Never, not one, zero, nada. All the bills that the President is going to veto is because he says they do not spend enough.

PLEA FOR BIKE PARTISANSHIP

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute.)

Mr. BLUMENAUER. Mr. Speaker, the most important act that we can do to promote livable communities on behalf of the Federal Government is simply to lead by example. There are 65 million Americans who cycle. A simple four-mile round trip on a bicycle saves 15 pounds of air pollution.

Members of this assembly have the opportunity to help lead by example by joining the Bicycle Caucus Tuesday morning with Secretary of Transportation Rodney Slater and the Washington Area Bicycle Association for a ribbon cutting for the new metropolitan branch trail.

If you do not have a bike, Member of Congress, let us know and we will loan you one for the event. You will have fun. Join the bicycle caucus, do right for America.

As we hear the battling here on the floor, this is an activity that is ''bike'' partisan. I think it will be good for us all to get on two wheels and inaugurate that trail.

CONGRESS MUST SUCCEED IN BUDGET BATTLE

(Mr. METCALF asked and was given permission to address the House for 1 minute.)

Mr. METCALF. Mr. Speaker, we are in the last crucial days until Congress adjourns, and we must be really alert. This is a time of last-minute desperate midnight decisions. Now we must be most vigilant. The President may try to apply pressure in support of his tax increase by shutting down the government again. That is a real concern, and we cannot let that happen.

Do not let the President raid the Social Security trust fund in these last crucial hours for his spending programs. There must be real trust in the trust fund, and there must be real money there. People are depending on that money. I am one of them. It is my generation that is depending on that money. We must stop the raid on Social Security. It is our job and this Congress must succeed.

MOSELEY-BRAUN FOR NEW ZEALAND AMBASSADOR

(Ms. MCKINNEY asked and was given permission to address the House for 1 minute.)

Ms. MCKINNEY. Mr. Speaker, the last time I checked, a flag is made of cloth, not carved in stone. But it appears, Mr. Speaker, that the heart of at least one Senator is carved in stone and it is stone cold.

I have long known that some of my brothers and sisters in the South are still fighting the Civil War. But guess what, Mr. Speaker, the United States won. The Confederacy lost.

The South shall rise again. But this time under the leadership of a New South coalition that unites us rather than tears us apart. But some folks particularly in North Carolina did not get the message.

Like the slaves who did not get the word until years later that they were free, it appears that JESSE HELMS still has his heart in Confederate bondage. From fighting the Confederate flag on the Senate floor to singing ''Dixie'' in Senate elevators, Senator HELMS has ricocheted the Senate back to the Tara Plantation of ''Gone With the Wind.'' Thank goodness those days really are gone with the wind.

Carol Moseley-Braun could be our next ambassador to New Zealand if President Clinton stands by her.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. THORNBERRY). The Chair will once again admonish the Member not to refer to Members of the other body.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. TANCREDO. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 352, nays 62, not voting 19, as follows:

[Roll No. 520]

YEAS—352

Abercrombie	Chenoweth-Hage	Frost
Ackerman	Clayton	Gallegly
Allen	Clement	Ganske
Andrews	Coble	Gejdenson
Archer	Coburn	Gekas
Armey	Collins	Gilchrest
Baker	Condit	Gilman
Baldacci	Conyers	Gonzalez
Baldwin	Cook	Goode
Ballenger	Cooksey	Goodlatte
Barcia	Cox	Goodling
Barr	Coyne	Gordon
Barrett (NE)	Cramer	Goss
Barrett (WI)	Crowley	Graham
Bartlett	Cubin	Granger
Barton	Cunningham	Green (WI)
Bass	Danner	Greenwood
Bateman	Davis (FL)	Hall (OH)
Bentsen	Davis (IL)	Hall (TX)
Bereuter	Davis (VA)	Hansen
Berkley	Deal	Hastings (FL)
Berman	DeGette	Hastings (WA)
Berry	Delahunt	Hayes
Biggert	DeLauro	Hayworth
Bilirakis	DeLay	Herger
Bishop	DeMint	Hill (IN)
Blagojevich	Deutsch	Hinchey
Bliley	Diaz-Balart	Hinojosa
Blumenauer	Dicks	Hobson
Blunt	Dingell	Hoeffel
Boehlert	Dixon	Holden
Boehner	Doggett	Holt
Bonilla	Dooley	Horn
Bonior	Doolittle	Hostettler
Bono	Doyle	Houghton
Boswell	Dreier	Hoyer
Boucher	Duncan	Hulshof
Boyd	Dunn	Hunter
Brady (TX)	Edwards	Hutchinson
Brown (FL)	Ehlers	Hyde
Brown (OH)	Ehrlich	Inslee
Bryant	Emerson	Istook
Burr	Engel	Jackson (IL)
Buyer	Eshoo	Jackson-Lee (TX)
Callahan	Everett	Jenkins
Calvert	Ewing	John
Campbell	Farr	Johnson (CT)
Canady	Fletcher	Johnson, Sam
Cannon	Foley	Jones (NC)
Capps	Ford	Jones (OH)
Cardin	Fossella	Kanjorski
Carson	Fowler	Kaptur
Castle	Frank (MA)	Kasich
Chabot	Franks (NJ)	Kelly
Chambliss	Frelinghuysen	

Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
McCollum
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Paul
Payne
Pease
Pelosi
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Upton
Vento
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wynn
Young (FL)

NAYS—62

Aderholt
Baird
Becerra
Bilbray
Borski
Brady (PA)
Capuano
Clay
Clyburn
Costello
Crane
DeFazio
Dickey
English
Etheridge
Evans
Fattah
Filner
Gibbons
Gillmor
Green (TX)
Gutierrez
Hefley
Hill (MT)
Hilleary
Hilliard
Hoekstra
Hooley
Johnson, E.B.
Klink
Kucinich
Lipinski
LoBiondo
Markey
McDermott
McNulty
Meek (FL)
Miller, George
Moran (KS)
Oberstar
Pallone
Pascrell
Pastor
Peterson (MN)
Pickett
Ramstad
Rogan
Sabo
Schaffer
Strickland
Stupak
Sweeney
Tancredo
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (CO)
Udall (NM)
Visclosky
Waters
Weller
Wu

NOT VOTING—19

Bachus
Burton
Camp
Combest
Cummings
Forbes
Gephardt
Gutknecht
Isakson
Jefferson
Largent
Linder
Matsui
McCarthy (MO)
McCarthy (NY)
Sanders
Scarborough
Velazquez
Young (AK)

□ 1101

So the Journal was approved.

The result of the vote was announced as above recorded.

APPOINTMENT OF CONFEREES ON H.R. 3064, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore (Mr. THORNBERRY). Without objection, the Chair appoints the following conferees on the bill, H.R. 3064: Messrs. ISTOOK, CUNNINGHAM, TIAHRT, and ADERHOLT, Mrs. EMERSON, and Messrs. SUNUNU, YOUNG of Florida, MORAN of Virginia, DIXON, MOLLOHAN and OBEY.

There was no objection.

GENERAL LEAVE

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2, the Student Results Act of 1999.

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

There was no objection.

STUDENT RESULTS ACT OF 1999

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 336 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2.

□ 1104

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2) to send more dollars to the classroom and for certain other purposes, with Mr. THORNBERRY (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Wednesday, October 20, 1999, Amendment No. 4 by the gentlewoman from Hawaii (Mrs. MINK) had been disposed of. Three hours and 20 minutes remain for consideration of the bill under the 5-minute rule.

Are there further amendments to the bill?

AMENDMENT NO. 56 OFFERED BY MR. ARMEY

Mr. ARMEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 56 offered by Mr. ARMEY:

Before section 111 of the bill, insert the following (and redesignate any subsequent sections accordingly):

SEC. 111. PUPIL SAFETY AND FAMILY SCHOOL CHOICE.

Subpart 1 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) is amended by inserting after section 1115A of such Act (20 U.S.C. 6316) the following:

"SEC. 1115B. PUPIL SAFETY AND FAMILY SCHOOL CHOICE.

"(a) IN GENERAL.—If a student is eligible to be served under section 1115(b), or attends a school eligible for a schoolwide program under section 1114, and—

"(1) becomes a victim of a violent criminal offense while in or on the grounds of a public elementary school or secondary school that the student attends and that receives assistance under this part, then the local educational agency shall allow such student to attend any other public or private elementary school or secondary school, including a sectarian school, in the same State as the school where the criminal offense occurred, that is selected by the student's parent; or

"(2) the public school that the student attends and that receives assistance under this part has been designated as an unsafe public school, then the local educational agency may allow such student to attend any other public or private elementary school or secondary school, including a sectarian school, in the same State as the school where the criminal offense occurred, that is selected by the student's parent.

"(b) STATE EDUCATIONAL AGENCY DETERMINATIONS.—

"(1) The State educational agency shall determine, based upon State law, what actions constitute a violent criminal offense for purposes of this section.

"(2) The State educational agency shall determine which schools in the State are unsafe public schools.

"(3) The term 'unsafe public schools' means a public school that has serious crime, violence, illegal drug, and discipline problems, as indicated by conditions that may include high rates of—

"(A) expulsions and suspensions of students from school;

"(B) referrals of students to alternative schools for disciplinary reasons, to special programs or schools for delinquent youth, or to juvenile court;

"(C) victimization of students or teachers by criminal acts, including robbery, assault and homicide;

"(D) enrolled students who are under court supervision for past criminal behavior;

"(E) possession, use, sale or distribution of illegal drugs;

"(F) enrolled students who are attending school while under the influence of illegal drugs or alcohol;

"(G) possession or use of guns or other weapons;

"(H) participation in youth gangs; or

"(I) crimes against property, such as theft or vandalism.

"(c) TRANSPORTATION AND TUITION COSTS.—The local educational agency that serves the public school in or the grounds on which the violent criminal offense occurred or that serves the designated unsafe public school may use funds hereafter provided under this part to provide transportation services or to pay the reasonable costs of transportation or the reasonable costs of tuition or mandatory fees associated with attending another school, public or private, selected by the student's parent. The local educational agency shall ensure that this subsection is carried out in a constitutional manner.

"(d) SPECIAL RULE.—Any school receiving assistance provided under this section shall comply with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and not discriminate on the basis of race, color, or national origin.

"(e) PART B OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—Nothing in this section shall be construed to affect the requirements of part B of the Individuals with

Disabilities Education Act (20 U.S.C. 1411 et seq.).

''(f) MAXIMUM AMOUNT.—Notwithstanding any other provision of this section, the amount of assistance provided under this part for a student shall not exceed the per pupil expenditure for elementary or secondary education, as appropriate, by the local educational agency that serves the school—

''(1) where the violent criminal offense occurred for the fiscal year preceding the fiscal year in which the offense occurred; or

''(2) designated as an unsafe public school by the State educational agency for the fiscal year preceding the fiscal year for which the designation is made.

''(g) CONSTRUCTION.—Nothing in this Act or any other Federal law shall be construed to prevent a parent assisted under this section from selecting the public or private elementary school or secondary school that a child of the parent will attend within the State.

''(h) CONSIDERATION OF ASSISTANCE.—Assistance used under this section to pay the costs for a student to attend a private school shall not be considered to be Federal aid to the school, and the Federal Government shall have no authority to influence or regulate the operations of a private school as a result of assistance received under this section.

''(i) CONTINUING ELIGIBILITY.—A student assisted under this section shall remain eligible to continue receiving assistance under this section for 5 academic years without regard to whether the student is eligible for assistance under section 1114 or 1115(b).

''(j) TUITION CHARGES.—Assistance under this section may not be used to pay tuition or mandatory fees at a private elementary school or secondary school in an amount that is greater than the tuition and mandatory fees paid by students not assisted under this section at such private school.

''(k) SECTARIAN INSTITUTIONS.—Nothing in this section shall be construed to supersede or modify any provision of a State constitution that prohibits the expenditure of public funds in or by sectarian institutions.''

After part G of the Elementary and Secondary Education Act of 1965, as proposed to be added by section 171 of the bill, insert the following:

PART F—ACADEMIC EMERGENCIES

SEC. 181. ACADEMIC EMERGENCIES.

(a) ACADEMIC EMERGENCIES.—Title I of the Act is amended by adding at the end the following:

''PART H—ACADEMIC EMERGENCIES

''SEC. 1801. SHORT TITLE.

''This part may be cited as the ''Academic Emergency Act''.

''SEC. 1802. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—The Secretary is authorized to provide funds to States that have 1 or more schools designated under section 1803 as academic emergency schools to provide parents whose children attend such schools with education alternatives.

''(b) GRANTS TO STATES.—Grants awarded to a State under this part shall be awarded for a period of not more than 5 years.

''SEC. 1803. ACADEMIC EMERGENCY DESIGNATION.

''(a) DESIGNATION.—The Governor of each State may designate 1 or more schools in the State that meet the eligibility requirements set forth in subsection (b) or are identified for school improvement under section 1116(b) as academic emergency schools.

''(b) ELIGIBILITY.—To be designated as an academic emergency school, the school shall be a public elementary school—

''(1) with a consistent record of poor performance by failing to meet minimum academic standards as determined by the State; and

''(2) in which more than 50 percent of the children attending are eligible for free or reduced price lunches under the National School Lunch Act (42 U.S.C. 1751 et seq.).

''(c) LIST TO SECRETARY.—To receive a grant under this part, the Governor shall submit a list of academic emergency schools to the State educational agency and the Secretary.

''SEC. 1804. APPLICATION AND STATE SELECTION.

''(a) APPLICATION.—Each State in which the Governor has designated 1 or more schools as academic emergency schools shall submit an application to the Secretary that includes the following:

''(1) ASSURANCES.—Assurances that the State shall—

''(A) use the funds provided under this part to supplement, not supplant, State and local funds that would otherwise be available for the purposes of this part;

''(B) provide written notification to the parents of every student eligible to receive academic emergency relief funds under this part, informing the parents of the voluntary nature of the program established under this part, and the availability of qualified schools within their geographic area;

''(C) provide parents and the education community with easily accessible information regarding available education alternatives; and

''(D) not reserve more than 4 percent of the amount made available under this part to pay administrative expenses.

''(2) INFORMATION.—Information regarding each academic emergency school, for the school year in which the application is submitted, regarding the number of children attending such school, including the number of children who are eligible for free or reduced-price lunch under the National School Lunch Act (42 U.S.C. 1751 et seq.) and the level of student performance.

''(b) STATE AWARDS.—

''(1) STATE SELECTION.—From the amount appropriated pursuant to the authority of section 1814 in any fiscal year, the Secretary shall award grants to States in accordance with this section.

''(2) PRIORITY.—To the extent practicable, the Secretary shall ensure that each State that completes an application in accordance with subsection (a) shall receive a grant of sufficient size to provide education alternatives to not less than 1 academic emergency school.

''(3) AWARD CRITERIA.—In determining the amount of a grant award to a State under this part, the Secretary shall take into consideration the number of schools designated as academic emergencies in the State and the number of eligible students in such schools.

''(4) STATE PLAN.—Each State that applies for funds under this part shall establish a plan—

''(A) to ensure that the greatest number of eligible students who attend academic emergency schools have an opportunity to receive an academic emergency relief funds; and

''(B) to develop a simple procedure to allow parents of participating eligible students to redeem academic emergency relief funds.

''SEC. 1805. SELECTION OF ACADEMIC EMERGENCY SCHOOLS AND AWARDS TO PARENTS.

''(a) SELECTION.—The State shall select academic emergency schools based on —

''(1) the number of eligible students attending an academic emergency school;

''(2) the availability of qualified schools near the academic emergency school; and

''(3) the academic performance of students in the academic emergency school.

''(b) INSUFFICIENT FUNDS.—If the amount of funds made available to a State under this part is insufficient to provide every eligible student in a selected academic emergency school with academic emergency relief funds, the State shall devise a random selection process to provide eligible students in such school whose family income does not exceed 185 percent of the poverty line the opportunity to participate in education alternatives established pursuant to this part.

''(c) PAYMENTS.—

''(1) IN GENERAL.—From the funds made available to a State under this part and not reserved under section 1804(a)(1)(D), a State shall pay not more than $3,500 in academic emergency relief funds to the parents of each participating eligible student.

''(2) PERIOD OF AWARDS.—The academic emergency relief funds awarded to parents of participating eligible students shall be awarded for each school year during the grant period which shall terminate—

''(A) when a participating eligible student is no longer a student in the State; or

''(B) at the end of 5 years,

whichever occurs first.

''(3) DURATION.—A State shall continue to receive funds under this part for distribution to parents of participating eligible students throughout the 5-year grant period.

''SEC. 1806. QUALIFIED SCHOOLS.

''(a) QUALIFICATIONS.—A State that submits an application to the Secretary under section 1804 shall publish the qualifications necessary for a school to participate as a qualified school under this part. At a minimum, each such school shall—

''(1) provide assurances to the State that it will comply with section 1810;

''(2) certify to the State that the amount charged to a parent using academic relief funds for tuition and fees does not exceed the amount for such tuition and fees charged to a parent not using such relief funds whose child attends the qualified school (excluding scholarship students attending such school); and

''(3) report to the State, not later than July 30 of each year in a manner prescribed by the State, information regarding student performance.

''(b) CONFIDENTIALITY.—No personal identifiers may be used in such report described in subsection (a)(3), except that the State may request such personal identifiers solely for the purpose of verifying student performance.

''SEC. 1807. ACADEMIC EMERGENCY RELIEF FUNDS.

''(a) USE OF ACADEMIC EMERGENCY RELIEF FUNDS.—A parent who receives academic emergency relief funds from a State under this part may use such funds to pay the costs of tuition and mandatory fees for a program of instruction at a qualified school.

''(b) NOT SCHOOL AID.—Academic emergency relief funds under this part shall be considered assistance to the student and shall not be considered assistance to a qualified school.

''SEC. 1808. EVALUATION.

''(a) ANNUAL EVALUATION.—

''(1) CONTRACT.—The Comptroller General of the United States shall enter into a contract, subject to amounts specified in Appropriation Acts, with an evaluating agency that has demonstrated experience in conducting evaluations, for the conduct of an ongoing rigorous evaluation of the education alternative program established under this part.

''(2) ANNUAL EVALUATION REQUIREMENT.—The contract described in paragraph (1) shall require the evaluating agency entering into such contract to annually evaluate the education alternative program established

under this part in accordance with the evaluation criteria described in subsection (b).

''(3) TRANSMISSION.—The contract described in paragraph (1) shall require the evaluating agency entering into such contract to transmit to the Comptroller General of the United States the findings of each annual evaluation under paragraph (2).

''(b) EVALUATION CRITERIA.—The Comptroller General of the United States, in consultation with the Secretary, shall establish minimum criteria for evaluating the education alternative program established under this part. Such criteria shall provide for—

''(1) a description of the effects of the programs on the level of student participation and parental satisfaction with the education alternatives provided pursuant to this part compared to the educational achievement of students who choose to remain at academic emergency schools selected for participation under this part; and

''(2) a description of the effects of the programs on the educational performance of eligible students who receive academic emergency relief funds compared to the educational performance of students who choose to remain at academic emergency schools selected for participation under this part.

''SEC. 1809. REPORTS BY COMPTROLLER GENERAL.

''(a) INTERIM REPORTS.—Three years after the date of enactment of the Student Results Act of 1999, the Comptroller General of the United States shall submit an interim report to Congress on the findings of the annual evaluations under section 1808(a)(2) for the education alternative program established under this part. The report shall contain a copy of the annual evaluation under section 1808(a)(2) of education alternative program established under this part.

''(b) FINAL REPORT.—The Comptroller General shall submit a final report to Congress, not later than 7 years after the date of the enactment of the Student Results Act of 1999, that summarizes the findings of the annual evaluations under section 1808(a)(2).

''SEC. 1810. CIVIL RIGHTS.

''(a) IN GENERAL.—A qualified school under this part shall not discriminate on the basis of race, color, national origin, or sex in carrying out the provisions of this part.

''(b) APPLICABILITY AND CONSTRUCTION WITH RESPECT TO DISCRIMINATION ON THE BASIS OF SEX.—

''(1) APPLICABILITY.—With respect to discrimination on the basis of sex, subsection (a) shall not apply to a qualified school that is controlled by a religious organization if the application of subsection (a) is inconsistent with the religious tenets of the qualified school.

''(2) SINGLE-SEX SCHOOLS, CLASSES, OR ACTIVITIES.—With respect to discrimination on the basis of sex, nothing in subsection (a) shall be construed to prevent a parent from choosing, or a qualified school from offering, a single-sex school, class, or activity.

''SEC. 1811. RULES OF CONSTRUCTION.

''(a) IN GENERAL.—Nothing in this part shall be construed to prevent a qualified school that is operated by, supervised by, controlled by, or connected to a religious organization from employing, admitting, or giving preference to persons of the same religion to the extent determined by such school to promote the religious purpose for which the qualified school is established or maintained.

''(b) SECTARIAN PURPOSES.—Nothing in this part shall be construed to prohibit the use of funds made available under this part for sectarian educational purposes, or to require a qualified school to remove religious art, icons, scripture, or other symbols.

''SEC. 1812. CHILDREN WITH DISABILITIES.

''Nothing in this part shall affect the rights of students, or the obligations of public schools of a State, under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

''SEC. 1813. DEFINITIONS.

''As used in this part:

''(1) The terms ''local educational agency'' and ''State educational agency'' have the same meanings given such terms in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

''(2) The term ''eligible student'' means a student enrolled, in a grade between kindergarten and 4th, in an academic emergency school during the school year in which the Governor designates the school as an academic emergency school, except that the parents of a child enrolled in kindergarten at the time of the Governor's designation shall not be eligible to receive academic emergency relief funds until the child is in first grade.

''(3) The term ''Governor'' means the chief executive officer of the State.

''(4) The term ''parent'' includes a legal guardian or other person standing in loco parentis.

''(5) The term ''poverty line'' means the income official poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

''(6) The term ''qualified school'' means a public, private, or independent elementary school that meets the requirements of section 1806 and any other qualifications established by the State to accept academic emergency relief funds from the parents of participating eligible students.

''(7) The term ''Secretary'' means the Secretary of Education.

''(8) The term ''State'' means each of the 50 States and the District of Columbia.

''SEC. 1814. AUTHORIZATIONS OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part $100,000,000 for fiscal year 2000 and such sums as may be necessary for each of the fiscal years 2001 through 2004, except that the amount authorized to be appropriated may not exceed $100,000,000 for any fiscal year.''.

(b) REPEALS.—The following programs are repealed:

(1) INTERNATIONAL EDUCATION EXCHANGE PROGRAM.—Section 601 of the Goals 2000: Educate America Act (20 U.S.C. 5951).

(2) FUND FOR THE IMPROVEMENT OF EDUCATION.—Part A of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8001 et seq.).

(3) 21ST CENTURY COMMUNITY LEARNING CENTERS.—Part I of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8241 et seq.).

Mr. ARMEY. Mr. Chairman, let me begin by thanking the committee for bringing this legislation to the floor. If I might, I would like to reflect for just a moment on a personal basis.

Mr. Chairman, I think I can say that I am sure my own feelings on the subject of education are pretty much the same as everybody else in this body. I have dealt with education all of my life, as a student, as a parent, as a teacher, and now as a grandparent and a legislator.

One of the things that I have felt very seriously about in the last few days as I have thought about this bill is that all of a sudden, now as a grandparent, Mr. Chairman, I realize that these children for whom we talk about education today, my grandchildren, are more precious, or seem to be more precious to me at this time in my life, even than my own were at that time. Maybe that is just the business of being a grandparent and knowing that one's grandkids are more precious than your own children.

But we are really talking about some very serious business with some very important people in our lives. I cannot think of anything that any society that can be that can ever be more important than educating and keeping safe and happy the children.

Mr. Chairman, there are some unsettling circumstances out there that are faced by the children of this Nation, and I just want to review a few of them. There are 15,000 schools in America that are on a list of most-troubled Title I schools. One hundred of these have been on the list for 10 years or more. There are children who are being abandoned by the bureaucracy that does not seem to care, and we must find an alternative. Even perhaps more frightening, Mr. Chairman, there are children that feel trapped in violent schools. There are children that go to school and are assaulted in school, and they are scared. This amendment seeks to address that.

I want to ask just a very simple question. As we mark up this bill and we relate to all of the issues we have here, can we not stop for a moment and say that no child should be trapped and no parent should feel trapped by a circumstance where that child must have as their only alternative to stay in a school that is a failure, a school that the government might likely look at and say, that school is a disaster area. We have those in States across the country and in cities across the country. That school is a complete disaster area. If we had a flood, if we had a tornado and we saw disaster and we saw the children stuck in the muck and the mire of that disaster, we would declare it a disaster and we would do something about it. What I am asking us to do with this amendment is give the governor an opportunity to look at a school and say, that school is a disaster.

Mr. Chairman, most of us, thank goodness, as parents with families will make that decision on our own. We would say, my child is in a school that is a disaster, and I have the money, I have the ability, and I am going to pick up that child and move him some place else, and we do it. I pick up my whole family, my whole household and move it to another neighborhood. We do that. One does not have to go house hunting very many times and talk to many people who sell houses in America to realize that one of the first concerns that we have is what is the quality of the schools. But some people do not have those resources, some people do not have those options. Some people

feel like, my child is stuck there and I do not have the money to change it.

So I am asking in this bill to say to those parents, you should be able to get, if your governor determines that that school is a disaster and you feel like your child is stuck and you do not have any resources, you should be able to apply for and receive a scholarship of $3,500 so that you can take your child and pick your child up and move your child to a school that is not a disaster area. That does not strike me as too much to ask.

And then in another way, we are addressing another concern that I have. If my child or grandchild came home from school and had been a victim of assault on the school grounds and was injured, sometimes these children are stabbed, beaten, I would be able to pick up my child, my son would be able to pick up my grandchild and move him out of that school, get him someplace else, get him safe. A lot of families cannot do that.

I am asking us here as a Congress to take a look at that mother and father and say, do we not have a heart for you? Are we ready to let you look at your baby and say honey, you have to go back there?

The CHAIRMAN. The time of the gentleman from Texas (Mr. ARMEY) has expired.

(By unanimous consent, Mr. ARMEY was allowed to proceed for 2 additional minutes.)

Mr. ARMEY. Mr. Chairman, I want my colleagues to think about that. A mother standing there in front of her baby, sixth, seventh grade child, coming up, bloody, battered, bruised and scared, frightened. These children sometimes are terrified, and to have that mother have no recourse but to say honey, cannot help it. You have to go back there tomorrow, there is no place else for you to go, is not acceptable. Fortunately, most children do not face that. Are we not lucky that most children do not have that fear? But some children do.

I am saying, we should be able to find in this bill, in this amendment some resources that say, if you are that mother, there is a place for you to go. If you do not have the money so that you can take that child to another school, there is a place for you to go. You do not have to say, go back there and be scared. You can apply for and receive a $3,500 scholarship and take your child someplace else.

Now, Mr. Chairman, I am not asking for all of the money in the world forever. I am saying, I think these are two good ideas to address what might be the academic disaster we find in a school itself, or the academic and personal disaster we find in a child's battered and beaten body. I am saying, give us $100 million, let it be available to the governors, to the families for 5 years and see if it works for the children. Five years from now, we can test the children and see if, in fact, they are succeeding in their new school or perhaps with their new safety and security. If it does not work in their lives, we will not come back and ask for more, there is no need to reauthorize it. But for 5 years, Mr. Chairman, for 5 years, can we reach out a heart and a hand of compassion to children that are today stuck in schools that are disasters or who have had in their own personal life a horribly frightening, scary, tragic disaster.

I have seen that, Mr. Chairman. I have seen the child that has come home from school beaten up because they just did not fit in. That child does not have to go back and should not.

□ 1115

Mr. CLAY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I, too, am a grandfather. I have three grandchildren in public schools, and I am concerned about them as well as any other grandparent.

But I was lost by the logic or illogic of the last statement made about compassion for a seventh grader who is in an unsafe environment and that parent being able to take that child out of that unsafe environment and put that child in a safe environment.

I would think that to take one child out of an unsafe environment and leave the rest of the children in that unsafe environment does not make much sense. I would think one would take the disruptive children, the ones who are causing the unsafe environment, out of that situation and leave all of the children in a safe environment.

I, too, am a grandparent. I have many reasons why I oppose this amendment. The Committee on Education and the Workforce deliberated at length on the issue of private school vouchers. Then we voted overwhelmingly in committee to reject that concept.

Second, if this amendment were adopted, it would destroy the bipartisanship we developed on this bill during the last 12 or 14 months. It would also jeopardize all the progress that we are making in improving Title I.

Beyond that, Mr. Chairman, this is a reckless amendment that would divert funds from poor public schools to parochial schools. It provides no oversight of the quality of education provided with Federal funds, which is the opposite of what we are doing in the rest of this bill.

Also, Federal funding of private school vouchers raises serious constitutional issues that could jeopardize the independence of religious schools and disrupt the administration of Title I programs.

Finally, Mr. Chairman, this bill would have a very discriminatory effect. Those students who get private school vouchers can receive up to $3,500 in vouchers, which is substantially more than per pupil allocation for current Title I students who are in the public schools.

So I urge my colleagues to reject this amendment and I yield back the balance of my time.

Mr. BOEHNER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in support of the amendment offered by the gentleman from Texas, the Majority Leader.

Most of us in this Chamber are pretty fortunate. Our kids go to good schools. I know that my kid went to good public schools in my district; and, frankly, the schools in my district, by and large, are very good schools.

But we also know that we have got children trapped in very bad schools around our country. The U.S. Department of Education keeps track of a list of academic emergencies. Some of these schools have been on this list for 10 years. I wonder how long we can look the other way when children are trapped in schools that have no chance of success. We are imprisoning those children for the rest of their lives.

Yes, Title I, we have spent an awful lot of money over the years. Yes, we have been able to save some children. The point here is that this is a pilot program aimed at the worst schools in the country to give parents some ability to help their children. The Governor has to have declared that the school is an academic emergency. The program is completely voluntary so that no State is forced to do this.

But the point I think that the gentleman from Texas (Mr. ARMEY) is trying to bring here is that it is time for us to help those who are most in need. Yes, if one is trapped in a bad school and one is a middle-income parent, one is a wealthy parent, one has school choice. One has an ability to take one's child out of that school and move them to another school.

But if one is locked in an inner-city school where there is an academic emergency, those parents do not have that ability. How can we continue to look the other way when we know that there are kids trapped in these kinds of schools?

I think that this is an idea worth trying. It is a separate $200 million pilot project for 5 years. Let us see if it works. What do we have to fear from trying this program? It will not deny any school any money that they would already get under Title I and other Federal education programs. It would be in addition to that money.

So let us give these kids a real chance at success and a real shot at the American dream that they do not have today.

Mr. KILDEE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this amendment is contradictory to the underlying mission of H.R. 2. Very simply, this amendment would turn Title I into a private school voucher program. Obviously, I belong to the grandfather caucus, too. Here in this caucus, all of us are seeking the best possible education for our children, especially those who are in unsafe schools or are the victim

of a violent act or in a low-performing school.

However, taking precious Federal funding out of public schools and allowing it to go to private and parochial schools will not solve the problems of our educational system. In fact, the Catholic conference and every major educational group is opposed to voucherizing Title I.

H.R. 2 will focus on the achievement of individual children and at risk subgroups through this aggregation of data on State assessments. In addition, H.R. 2 strengthens both teacher quality by requiring a high qualified teacher in every classroom by 2003 and upgrading the qualifications of paraprofessionals.

This amendment will detract from this focus; and worse, by taking resources away from public schools, make it more difficult to implement these much needed reforms.

This amendment will not achieve the goal of increased student achievement, this amendment will make it harder for schools and communities to produce students who can go on to successful careers and high paying jobs. We should not and cannot pass this amendment today.

Mr. TANCREDO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am willing to admit something today that I think needs to be stated. It is something that is seldom heard in this body, seldom heard in any other legislative arena, certainly never heard in State legislatures, and certainly never heard on school boards. But it is something I believe to be true, I believe to be true for every one of us. That is, that we do not know, not my colleagues, not I, no one in this room, nor in the legislature, nor in the school board, no one knows what the best education is for every child in America.

We can hope, we can do what we can with whatever tools we have to provide a good quality education for America's children. But we do not know what the best educational environment is for every child. Only a parent is entrusted with that ability and responsibility. Even they can make some wrong decisions I know, but they will make better decisions about where their children should go to school than I can or my colleagues, frankly, or even members of school boards.

That is why I am willing to relinquish this power, this authority and give it to parents. But it is also why this issue is so controversial, because, frankly, my friends, the debate we have here today is not really about education. It is about power. It is about who controls the power over the educational system and the hundreds of millions of dollars, billions of dollars that go into it and the thousands and thousands of people employed in there. That is what the real issue is today, who will control it.

How can the education establishment keep control of the billions of dollars that come into it? Well, the only way they can do that is by maintaining a one-size-fits-all government monopoly school system. The thing that frightens them to death, the scariest word in the English language to the people in this bureaucracy, to the anti-education people who run organizations like the National Education Association, the scariest word to them is freedom, freedom to let one's kid go wherever one wants to go, wherever that child should be placed. Because they want the control over the dollars and over the environment in which those children will be taught.

How can it be that those of us who ask for freedom for those parents are considered to be doing something that jeopardizes the educational quality of the schools?

It may, in fact, be, as a Member of the opposite side here said earlier, that one child leaving a school, why should not we worry about all the others if it is an unsafe school? Well, in fact, of course what we are saying here is that school may be a very good school for the majority of children in it. Not every child is affected the same way by that learning environment.

But if there is one there that is having a horrible experience but is economically not able to make the same decision that my colleagues and I might be able to make for our own kids, why should we not let the child go? What difference does it make to say they should be set free? How come that so rankles us?

It is peculiar to say in the least that we get so concerned about this. It is not every child. We are not closing every school. My kid went to public schools. I taught in public schools. My wife just retired from a public school after 27 years. It is not that I have anything against public schools. I believe in them. I believe that, in any sort of competitive environment, they will win. They have got the best teachers. They have got the best infrastructure.

But what we must do is give people the ability to choose among them and between them. To take that away from human beings is taking away an absolute right. It is an admission of something that we must all do.

We must admit, Mr. Chairman, people on the Committee on Education and the Workforce, we must admit to our colleagues here and to the people of the United States that we do not know what the best education is for every single child out there. But we do trust parents to help make that decision. Maybe it will not always be right, but it will be right more often than what we make the decision for them by forcing them into a system that may not work. I say forcing them because they do not have the economic ability to make a choice.

Mr. DEMINT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Armey safe and sound schools amendment. I stand here today as a father and a businessman to explain why I believe this amendment is a reasonable and necessary one to secure the future for every American child by giving them an excellent education.

As a father, I want my children to go to a school in a safe, orderly learning environment. I want them to be in a school which offers academic excellence. Failure is not acceptable when it comes to the education of my children or any child in America. Unfortunately, some children in the United States are trapped in schools which are either plagued by violence or failing them academically. In too many cases, we are failing on both counts.

Failure to educate Americans children, whether it is the richest of the rich or the poorest of the poor, is unacceptable. Unfortunately, too many children are trapped in low-performing schools, and too many parents are unaware of the academic failure of their neighborhood school.

How do we provide these needy children with the education they deserve? How do we help them out of this trap? We begin by informing parents, teachers, local communities about the academic performance and the safety of their local school.

The Armey amendment would require schools to notify parents that their child is in an academically failing or an unsafe school and provide them with the opportunity to transfer their student to a nonfailing public school or, if necessary, a private or parochial school.

Some parents may make arrangements to have their child attend another school in the area. Some will want to keep their child in their neighborhood school. But they will demand change. They will want an excellent education for their child. No longer will low performance or academic failure be hidden from parents or tolerated by parents.

As a father, this makes sense. As a businessman, it makes sense. Competition leads to improvement and better choices. Some students will choose to go elsewhere to receive their education services.

But what about the students left behind? Do we intend to leave them in failing violent schools? Absolutely not. One of the elements in education improvement is parental involvement. Once parents know their neighborhood school has been labeled as a low-performing school, they will demand change. They will elect new school board members. They will hire a new principal. They will make sure teachers are trained. They will raise education expectations. Whatever it takes.

Does this aid the low-income students that this bill is designed to help? Absolutely. It provides both the short-term and long-term solution to secure the future for every American child with an excellent education in a safe learning environment.

I urge all of my colleagues to support the Armey safe and sound schools amendment.

□ 1130

Mr. FOSSELLA. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Armey amendment. I wish to compliment the majority leader for being such a vocal and forceful advocate for improving education for all children across the United States.

Let me just say a couple of things that I believe are important for the record. I believe everybody in this body believes that we need to improve education. Indeed, education should be a national issue. I know we have some wonderful teachers within the private and parochial schools, and especially in the public schools. I know that because I go to the school back home in Staten Island and Brooklyn any chance I get. And they are wonderful.

I also believe that every Member of this body is committed to enhancing academic achievement for our children, to ensure that our children get the best education possible. We recognize that when we invest in education what we essentially are investing in is our future and building upon what is the greatest country in the history of the world.

But what the gentleman from Texas (Mr. ARMEY) is seeking to do is to help what some in this body and some across the country believe are the helpless, the young children who are trapped, and this has been said so many times today, trapped in failing schools. And what is this all about? We want to help those who are deprived of the opportunity and who have limited freedom, those who are forced to send their children to these failing public schools.

I would ask my colleagues to go home to their districts and ask the parent who does not have two nickels to rub together, ask that mother or father if, given the chance, they would want to take their child out of a failing public school and send that child to a better one. Is there not a more important decision that we make as parents than where to send our kids to school? I can tell my colleagues in New York City, and I am sure it is true across the country, that those helpless parents really have no choice.

Recently, reports tell us that attacks from children and students against teachers are up dramatically. How does a child learn, how does an innocent child, whose parents want nothing but the best for him, learn in an environment where attacks against teachers are up dramatically? It is not as if that parent has a choice. They do not. Ask that parent and look at the look in their eyes when you tell them that we are going to give them the opportunity to send their child to a good school and see that their child gets a good education. I think many of my colleagues might be surprised at the response, but some of us are not.

Recently, the Washington, D.C. school system offered scholarships to the poorest individuals, the poorest families. Now, we are blessed. We can send our children to any school we want. But the poorest families, when given the chance, one in six chose to take their child out of a failing public school. I say ''bravo'' to that parent, because this issue is about civil rights. This is the movement we should be embarking upon.

I think we can work together to ensure that our public schools are improved and that we give the best to our teachers and reward them for their hard work, but, at the same time, understand and recognize that there are millions of parents across this country, that have no choice, that are trapped in these failing schools, that when they send their child off to school they do not know if they are going to come home with a black eye or get in a fight with some kids in schools. Nine-year-olds attacking teachers. That is the environment some of these kids are learning in. And it is in the Bronx, and it is on Staten Island, and it is in Indiana, and it is in Texas, and it is in California.

If we believe that this country is truly about freedom, and we have the freedom to go to any restaurant we want, to buy any car we want, but we do not have the opportunity to have the freedom to send our child to the school of our choice, then we are depriving the most essential basic right, and we are depriving those poor and helpless parents of a legitimate civil right.

I want to remind all my colleagues that this is a pilot program. If we fear this, we fear everything.

Mr. HAYES. Mr. Chairman, I move to strike the requisite number of words, and I rise in very strong support of the amendment of the gentleman from Texas (Mr. ARMEY), the majority leader.

Mr. Chairman, the gentleman from New York (Mr. FOSSELLA) and I have slightly different accents, but we have the same understanding of the effort here to secure the future for America's children, and that is what this amendment does. That is what this amendment is all about.

My friends on the left would erect an invisible shield and call it protective. This is not protective, it is destructive, to take the opportunity from parents to choose for their children. The Federal Government has the opportunity here to accelerate and enhance learning in public school, not continue to be a massive roadblock for learning.

There are those who would unfairly and incorrectly mischaracterize the Armey amendment. I even heard the term voucherize used. This is untrue. The amendment gives hope to parents and children, especially disadvantaged children; hope by knowing that they are not trapped in a school where they will not learn the skills that they need to succeed in life; hope because they can choose a better opportunity for their children, safe and sound. That is what this is all about.

Beside me on the left is a quote from our President in which he says, ''Parents should be given more choice.'' He stood in this room before this body not long ago and said this; and we agree, and we are working hard to help provide those choices for parents that will help those children succeed.

Just last week I was in Fayetteville, North Carolina, in the 8th District, and there was a school where choice was given. Over 1,800 applicants for 600 spaces. Discipline, respect, uniforms. In other words, a different way to give children and teachers the academic environment in which they could learn. This choice has created an opportunity, an enthusiasm, a momentum, an energy that was exciting to see. It shows what can be done in public schools if we dare to be different, if we dare to move ourselves out of the trap created many times by the Federal Government in the past.

So, yes, I support this amendment. I would encourage everyone here to support the opportunity for parents to do the best for their children. Support the Armey amendment.

Mr. HILL of Montana. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to first thank the majority leader for bringing this measure and this amendment to the floor, and I also want to thank our leadership in the Committee on Rules for making this amendment in order.

Mr. Chairman, all over America this morning parents sent their children off to school, and they did so with two basic expectations: first, that their children would be safe; and the second expectation is that while their children were at that school, they would be in an environment where they could learn basic skills, math and science and history and English, basic skills that would allow them to succeed in life.

The reality is, Mr. Chairman, that all over America today there are certain schools that cannot deliver on these basic set of expectations. They cannot provide a safe environment, and they cannot provide a quality learning environment.

Now, governors all over America have been working hard to reform education, and one of the things these governors tell us is that in many instances the Federal Government is an obstacle to reform rather than a partner in that reform. Many of the aspects of the bill that we are debating here today is to provide for flexibility and more creativity in bringing reform to education. This amendment is an extension of those reforms. It will be part of the effort in some States, not all, to bring real meaningful reform to their education system.

Now, Mr. Chairman, I am fortunate to represent a State that has really good schools. Montana students fare very well on national tests and meeting standards, but there are many

States where education emergencies truly exist. Schools absolutely cannot provide the basics, a safe and sound environment in school. So this amendment basically does this. It says that a governor who believes that an education disaster exists can declare that disaster and then provide grants to the parents of children to take their children out of a school that is failing to provide those basics and put them into a safe and a sound one.

Now, if a hurricane disaster exists, and that is not likely to happen in my State, but when it does happen, a governor can declare a disaster. He can act to protect the citizens. If a fire disaster, or a flood disaster, or a drought disaster exists, a governor can declare a disaster and he can act. Why in the world would we not give governors the same kind of authority to declare an academic disaster? Governors need every tool in the tool box that they can get to reform education. They need the tools that are appropriate to the condition and the problem that they are facing.

I believe it is time for Congress to make a simple declaration about education, and that declaration should be this: that it is about kids and kids first. Nothing else should really matter but the kids. This amendment says that kids are more important than the teachers' union; it says kids are more important than institutional structures.

I would urge my colleagues to support our kids and support this amendment. Put them first.

Mr. PITTS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in strong support of the amendment of my good friend, the majority leader, to H.R. 2; and I applaud his efforts to ensure that all children are given the opportunity to attend safe and sound schools. Our children should never be trapped in failing schools. Our children should not fear for their safety when they walk through the halls or into their classrooms. Parents must be given the ability to protect their children and to provide a good education for them.

Those who oppose the Armey amendment oppose giving kids and parents a way out of failing schools and a way to educational success. Opponents believe in the status quo and in forcing disadvantaged children to remain in schools that are failing them.

When well-to-do students are struggling in school, what do their parents do? Generally, they send them to another school. Why? Because they have the money to do so. Do my colleagues think that low-income parents would not like to have this same option? They certainly want what is best for their children.

The most recent example of this came this year when the Children's Scholarship Fund was offering 40,000 scholarships, K through 12, to low-income families. How many people do my colleagues think applied for their children to receive this opportunity? One and a quarter million. 1,250,000 families. Let me repeat. For just 40,000 scholarships, 1.25 million people, many were minorities, many families from 20,000 different communities in all 50 States sought this opportunity to get their children out of failing and unsafe schools.

Rich or poor, Americans want the best education possible for their children. The Army amendment puts parents back in the driver's seat for their children's education.

Now, I know monopolies do not like competition. Some of the powers that be are threatened by reform. They are afraid that they will lose control of their power. But this is reform that works. So for the sake of our children, for the sake of our Nation's kids, I urge my colleagues to support the Armey amendment.

Mr. GOODLING. Mr. Chairman, I move to strike the requisite number of words.

Mr. ARMEY. Mr. Chairman, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Chairman, I thank the gentleman for yielding to me, and I want to thank everybody who spoke on behalf of this amendment.

I had asked one of the staff to get me a number. I do not have that number, but maybe I will get it. Until then, let me just take a wild guess or ask the question: How many billions of dollars do we spend each year in this great land to educate our children grades, K through 12? Together with our local taxes, and our State funding agencies, as well as through the Federal Government, we put it all together and we realize this must be some incredibly large number. What would my colleagues suppose that number is, $100 billion a year that we spend to educate our little ones, K through 12?

□ 1145

Would we not agree that, for the most part, across this great land we are doing a pretty good job? The kids have pretty good schools. The kids are happy. The kids are learning well. The kids are pretty safe. And we are proud of that.

I have to tell my colleagues and I do not mind telling my colleagues that I believe that, for all the criticism, all the failure, all the heartbreak, this great Nation does put its children up front. This great Nation, I believe, is as good as any in the effort we make to educate our children, certainly in terms of the money we spend.

I believe the young lady has the number. Mr. Chairman, if the staffer has that number I was seeking, I would just like to look at that for a moment if she does not mind just bringing it to me. It is all right. This is a well-known fact in this town that staff researches and gives us everything we pretend to know. It is not new. But I have the answer. I thank her again, and I certainly do appreciate her helping me out.

This is incredible. We spend $324.3 billion in all public expenditures to educate our babies. I am so proud of that. In addition to that, we spend 27 billion additional dollars through private educational facilities to educate those children. That is $351.3 billion that we spend for those babies. I am so proud of that.

Now, what have I said here? For the most part, we are doing well and we should be proud. But sometimes we do not. Sometimes we do not.

We have 15,000 schools year in and year out that are designated as failures. What is the number? One hundred of which have been on that list for 10 straight years or more, 100 schools 10 years or more that have been designated by their governors, have been designated by the Department of Education abject disasters, crazy failures.

Think of those poor babies trapped in these schools. I have seen some of those schools. I have seen some of those children. I have to tell my colleagues, I am proud to tell my colleagues I have been helpful in getting some of those children the resources to move. I have seen the difference in their lives, and I have seen them happy and claiming math is their favorite subject in a private school where they felt safe and loved.

Most of these children are happy and safe when they go to school, no threat, no danger, no harm; and I am proud of that. Some children are beaten in school. Some children are stabbed in school. That is not acceptable.

Now, of that total $351 billion that this great Nation spends, $13.8 billion comes from this Congress, this budget, this Government, $13.8 billion. One hundred chronically failed schools 10 years or more. Who knows where or how many badly beaten babies.

I ask my colleagues, with this amendment, out of $13.8 billion, are they telling me we cannot find $100 million to spread across this land for that school that is a disaster for all its children or for that child that came home beaten, battered, bloodied, broken, and scared to death? If they have got the heart to vote against that, woe be to their grandchildren.

Mr. WELDON of Florida. Mr. Chairman, today I rise in strong support of Mr. ARMEY's amendment to H.R. 2, The Student Results Act. This ''Safe and Sound Schools Amendment'' to Title I of ESEA is designed to help children whose schools fail to teach and protect them while in their care. This amendment could not have come at a better time. Many of our nation's public schools are in a state of emergency. Thousands of children are trapped in failing schools, and we need to provide them with a way out to gain a better education. Unfortunately, many of the children that are trapped in these failing public schools are from lower income families. We need to provide our children with the opportunity to choose another public or private school that is excelling and will provide them with the best education possible. We can not sit back and keep our students in schools that are not working.

The district I represent, the 15th district in Florida, has unfortunately been in the pathway of the many hurricanes that have been sweeping up Florida lately. When natural disasters of this kind happen, the federal government does not hesitate to send relief funds to the victims. This is a necessary and right practice.

In turn, it is also necessary to provide relief to our future, our nation's children, when they are trapped in failing schools—when they are victims of an academic emergency. The Safe and Sound Schools amendment establishes a well needed 5-year pilot program designed to create a national school choice option for elementary school children, grades 1–5, that are trapped in these failing schools. It is morally wrong to force them to stay in failing schools in the hope that one day these schools might improve. Eligible students, in schools that are ''academic emergencies'' could apply for $3,500 in relief funds that will help defray the costs of attending any qualified public, private, or parochial school in their area.

The investment in our children is the best investment we can make. There is no need to keep our children in failing schools that are not providing them with a good education. This is a great pilot program that will benefit everyone, students, parents, and the future of our country.

Mr. BALLENGER. Mr. Chairman, I rise in strong support of the Armey amendment. As a colleague of mine from across the aisle stated last night, ''we must provide opportunity early and often to the youth of America.'' I agree with my colleague and that is why I support this amendment.

Many students who attend schools receiving Title I funding have been failed by our education system time and time again. Let us give them opportunities early and often to receive a better education and prepare for a better life. The Armey amendment simply establishes an optional nationwide pilot program that provides relief for students who attend a Title I school that is designated as ''failing'' or ''unsafe'' and allows them to receive up to $3,500 in scholarship to attend a public, private or parochial school in their state.

As school violence continues to escalate and hamper the education of the American youth, let us take the power out of the violent offender's hands and place it in the hands of the students and parents. Children have the right to feel safe and parents should have the right to choose the education of their children.

Mr. Chairman, Title I has failed these students. Let us not fail these children again. Give students who attend Title I schools that are deemed ''failing'' or ''unsafe'' by their state the opportunity to grow and learn in a safe, successful environment. I urge my colleagues to support the Armey amendment.

The CHAIRMAN pro tempore (Mr. THORNBERRY). The question is on the amendment offered by the gentleman from Texas (Mr. ARMEY).

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CLAY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 166, noes 257, not voting 10, as follows:

[Roll No. 521]

AYES—166

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bateman
Bliley
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Chabot
Chambliss
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Goss
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hoekstra
Hunter
Hyde
Istook
Jenkins
Kasich
King (NY)
Kingston
Knollenberg
Kolbe
Largent
Latham
Lazio
Lewis (KY)
Linder
Lipinski
Lucas (OK)
Manzullo
McCollum
McCrery
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller, Gary
Myrick
Nethercutt
Northup
Norwood
Nussle
Ose
Oxley
Packard
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Radanovich
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Toomey
Upton
Vitter
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wicker
Wilson
Wolf
Young (AK)

NOES—257

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Capps
Capuano
Cardin
Carson
Castle
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Ganske
Gejdenson
Gephardt
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Graham
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Inslee
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Porter
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Sherman
Shimkus
Shows
Simpson
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Walden
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Whitfield
Wise
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—10

Burton
Camp
Isakson
Jefferson
Johnson, Sam
Jones (NC)
Lucas (KY)
McCarthy (MO)
McCarthy (NY)
Scarborough

☐ 1211

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. BURTON of Indiana. Mr. Chairman, during rollcall vote 521, I was unavoidably detained and unable to be on the House floor during that time. Had I been here I would have voted ''yea.''

Mr. SAM JOHNSON of Texas. Mr. Chairman, on rollcall No. 521, I was inadvertently detained. Had I been present, I would have voted ''yes.''

(By unanimous consent, Mr. ROGERS was allowed to speak out of order.)

RECOGNIZING REIGNING MISS AMERICA, HEATHER FRENCH OF KENTUCKY

Mr. ROGERS. Mr. Chairman, Kentucky has been extremely highly honored 2 weeks ago when the former Miss Kentucky was named Miss America. That is the first time in the history of the contest that a former Miss Kentucky has received that high distinction. We have with us on the premises today that lovely lady, Heather French, Miss America.

If I could refer to the gallery, I would refer the Members to the gallery to my right where Miss America is with us in this great body. Heather French has brought great distinction to our State

and to this great contest and we are excited that Miss America is Miss Kentucky.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. LATHAM). The gentleman is aware that he cannot refer to a person in the gallery.

AMENDMENT NO. 38 OFFERED BY MR. PAYNE

Mr. PAYNE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 38 offered by Mr. PAYNE: Strike title VIII of the bill.

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

□ 1215

Mr. PAYNE. By way of background, Mr. Chairman, I want to state that just 2 weeks ago my amendment to retain Title I statewide programs at a 50 percent poverty threshold was approved with bipartisan support by the Committee on Education and the Workforce during our Title I markup. Unfortunately, through legislative maneuvering, this amendment was overridden by members of the committee while we were returning from a recessed meeting and I was out of the room, and a new title created by lowering again the threshold from 50 percent to 40 percent. This action was a major setback.

This move created a new title that lowered the threshold to 40 percent. This action was a major setback in the fight to provide each of our schoolchildren with a fair and comprehensive education, and my amendment will rectify that. It calls to strike the last provision in the bill that lowers the poverty threshold for schoolwide programs to 40 percent.

What that simply means is that, as my colleagues know, Title I funds are designated by the number of poverty students in the school district. The 40 percent threshold means that 60 percent of the students in that school do not have to qualify as poverty and, therefore, robbing schools with high number of poverty students from the scarce resources to go around.

Although this year's bipartisan effort to re-authorize Title I addressed many of the causal factors of the educational gap, and as a former teacher in a Title I school, I fear that certain portions of this bill will work to actually widen the gap even further.

Current law states that in order for a school to be eligible for schoolwide programs the school must have 50 percent of its student population come from poor families. Schoolwide programs are programs that may be provided to the entire student population of a school, not just the most financially or educationally disadvantaged.

Traditionally these schoolwide programs have been targeted to schools with higher concentrations of poverty because the performance of all students in such schools tend to suffer. Further, schools with high percentages of lower-income students receive significantly large Title I grants, grants that can make an impact on a schoolwide level.

Regardless of these facts, the bill before us calls for yet another reduction in the poverty threshold for schoolwide program eligibility, reversing sort of a reverse Robin Hood, taking from the poor to give to those who are more fortunate. My amendment stops this unnecessary unfair reduction and calls for the retention of the 50 percent poverty threshold.

Opponents of this amendment may claim that lowering the poverty threshold will give schools more flexibility in establishing schoolwide programs. However, given the comprehensive nature of schoolwide programs, it is our responsibility to ensure that we meet the needs of the poorest schools which, in turn, have the lowest levels of schoolwide achievement. Research shows that the 50 percent poverty threshold should be retained because that is the level where we begin to see negative effects on the entire school population. School poverty levels below 50 percent have much smaller impact on the achievement of the entire school population.

For example, nonpoor students in schools between 35 and 50 percent poverty have about the same reading achievement level as schools falling between 20 and 35 percent poverty. Therefore, setting the poverty threshold at any level below 50 percent would be insufficient and arbitrary.

This program began in 1965 with the War on Poverty, and at that time the threshold was 75 percent poverty level. In reauthorization 5 years ago, we then saw the poverty level drop from 75 percent to 50 percent. Now we have seen this amendment come in to reduce the poverty threshold from 50 percent to 40 percent, and many in our committee feel that there should be a 25 percent threshold, which of course will eventually eliminate the program of its natural intent.

Title I began as a critical portion of the 1965 War on Poverty to help our Nation's most disadvantaged students. Let us pass this amendment to ensure that our most disadvantaged students in schools do, in fact, benefit from this crucial piece of legislation.

Our Nation is one Nation indivisible under God, and we should try to provide opportunity for all of us to meet the new challenges of the new millennium.

Mr. GOODLING. Mr. Chairman, I rise in opposition to the amendment. First of all, I want to clarify a few things that were mentioned here.

We have an agreement. The agreement was the 40 to 50, moving from 50 to 40. That was the agreement that was set up during all the negotiations; both sides agreed to that.

We had on our side an amendment, and we could have easily passed it, to go down to 25 percent. I opposed the 25 percent and went back to the agreement we had before we ever began the markup.

Now I also want to mention that I did something that no other Chair would have ever done and did not have to do. We had two votes. We voted once, and then when one or two gentlemen returned, they were upset. I allowed a second vote, a rollcall vote. So I want to make sure everybody understands, and that would not happen, I do not believe, in any other committee.

What we have found, as I tried to mention over and over and over again, the program has failed and failed and failed and failed and failed, and it is totally unfair to these youngsters; and it is critical to the Nation that they do not continue to fail; and so what we have discovered is that the schoolwide programs are doing much better than many of the other programs in raising the academic achievement of all students. They testified from Maryland, they testified from Texas; they have statistics to show the accomplishments they have made for all children.

So we agreed, as I said, that we would move from 50 to 40. We defeated going down to 25 percent; we defeated going back up to 50 percent.

So it would be my hope that now that it is working and now that we are seeing some success for the most needy children in the country, we stop this business that I heard for 20 years, we got to be sure exactly where the penny goes. It does not matter whether it does not do any good; it does not matter if it tracks these kids forever.

Now we find some programs that work. Why are we not willing to try to give every child that opportunity to succeed?

So I would hope that we vote down this amendment, and I should indicate that we will be rolling all votes until the end of this legislation today.

So again, we realize that it is succeeding by using a schoolwide model, so let us not try to stop something that is succeeding to help the most needy children in this country.

Mr. KILDEE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we need to understand the gentleman from New Jersey's intention with this amendment; we need to examine the history of the schoolwide percentage in Title I.

Prior to the 1994 reauthorization of ESEA, the schoolwide percentage was 75 percent. In other words, prior to 1994, 75 percent or more of the children in our schools were poor; we could operate a schoolwide program where we can combine Federal, State and local funds to do whole-school reform. The 1994 reauthorization lowered this to 50 percent. This bill lowers this percentage to 40 percent, and the amendment offered by the gentleman from New Jersey (Mr. PAYNE) would return that to 50 percent.

I believe it is important to also realize that the prevailing research in this

area states that when a half of a school's population is poor, the entire school educational achievement is impacted. Below that level research shows that the impact is lessened. If research says that we should maintain the 50 percent threshold, we should pass the Payne amendment today.

Mr. Chairman, I yield to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Chairman, I want to associate my comments with the gentleman from Michigan (Mr. KILDEE) and show my strong support for a very important amendment on today's legislation, the amendment offered by the gentleman from New Jersey (Mr. PAYNE).

The genesis of this act, the purpose of this act, the priority of this act in 1965 was to try to focus and target money to the poorest and neediest and most at-risk children in America because the States were not adequately fulfilling that role. The Federal Government did it. We need to continue to focus the money there and not dilute those funds to students in need with a bill that is doing some innovative new things in a bipartisan way.

So I encourage in a bipartisan way for us to improve the bill further and support the gentleman from New Jersey's amendment.

Mr. KILDEE. Mr. Chairman, I yield to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Chairman, I rise in strong support of the Payne amendment.

I want to commend the gentleman from Pennsylvania (Mr. GOODLING) and thank him for leading the fight to keep this from being rolled all the way back to 25 percent, and I admire his leadership on that; but I think it is very important we keep this as 50 percent. I think it is very important that we say that a program that is designed to reach out and help economically disadvantaged children will stay that way, and I think if fewer than half the children in a school fit that economically disadvantaged category, but we permit the expenditure of Title I funds anyway in whole school reform, that we are marching toward Federal education revenue sharing, which is really not something I think we want to do.

The underlying purpose of this act is to use targeted resources for children who most need it, for children who have the least out of State and local resources. I think that the Payne amendment is crucial toward establishing that goal; I enthusiastically support it.

Mr. KILDEE. Mr. Chairman, I yield to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Mr. Chairman, I think this is a very, very important amendment. It goes to the principle that we are establishing by enacting this legislation to help children in low-income circumstances who are disadvantaged in many ways in their educational experience.

The fundamental issue is that the distribution of funds is based upon a head count of the number of low-income children in a particular area, and if we are going to put the moneys there on the basis of a head count of low-income children, then these children need to be served. We cannot take the money that is allocated by this head count and distribute it to other schools.

There is no question that every school needs help in America, but this legislation is geared to the low-income, disadvantaged communities; and that is where it should stay, and I think that the 50 percent cut off is a legitimate cut off. It allows for schoolwide reform where 50 percent of the children are in an economically disadvantaged category. Then all of the students in that particular enrolled school could benefit. But to lower it, I think, is to really destroy the essence of targeting this money to the children, and that is how the money gets to the local school districts, by a head count.

So let us not dilute the fundamental purpose of this legislation by taking the money away from these children and scattering it to other areas.

□ 1230

Mr. CASTLE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I appreciate the opportunity to speak on this amendment. Let me just start by saying that I respect greatly all of those who have spoken on this particular amendment, and particularly the gentleman from New Jersey (Mr. PAYNE), the sponsor of this amendment. I have debated this issue with them as well as others in the Committee on Education and the Workforce, and I understand the sincerity of their beliefs in this.

Mr. Chairman, I believe that there is some reasoning here that we need to discuss in terms of how we are really helping kids. I am not one of those that is going to stand here and say that Title I has failed all together. God only knows where some of these students might be if it was not for Title I. On the other hand, I do not think that many people in this room can stand up and say that Title I has been a rip-roaring success either. That is not demonstrable one way or another. I believe we should continue Title I. I believe we should try to improve Title I. I think this is an excellent piece of legislation. We worked on it together, and I think that is fine.

But this particular point that we are debating right now I think is vitally important to the whole future of Title I and where we are going on this. I do not think we should reinstate the 50 percent school poverty threshold. I think it should go to 40 percent. One could argue it could go to 43 percent or whatever. If it went down to 25 percent, I would be up here opposing it or even 30 percent; but just as I support trying to keep it at the 40 percent level.

This is something, by the way, that was agreed to by many members of the committee who are ranking members, who sat down and worked this out, and among staff members, because we thought it was so important.

But why is it important? That is what I think we are missing. Does schoolwide work or not? What is schoolwide? Schoolwide is essentially when a school which may have 40 percent or 50 percent, whatever the number may be, who have kids who are economically disadvantaged and at the poverty threshold going to their particular school; and then they then put together programs that will lift the entire school so that everybody will benefit from it, but particularly aimed at trying to help that 40 percent or 50 percent or whatever it may be.

This is opposed to having special programs for those who may be educationally disadvantaged as determined by schools in which people are economically disadvantaged. It is my judgment, based on the small evidence that we have seen so far, the schoolwide programs are working. The chairman of the committee, the gentleman from Pennsylvania (Mr. GOODLING) has already cited two examples of that, both in Maryland and Texas, which really took Ed-Flex very seriously when we gave them that opportunity and came forward and they put together schoolwide programs. Others have done it too by going through the Secretary of Education, and they seem to have worked. Test scores have gone up. In a very data-based way, test scores have actually gone up in those schools which are doing it that way.

They are also becoming very popular with principals and teachers. According to the national assessment of Title I, the number of schools which are implementing schoolwide programs has more than tripled from 5,000 to 16,000 since 1995. Usually when programs grow, when there is a choice and programs grow, there is an indication that those who are dealing with the programs, the educators, are making a difference.

This does not dilute the amount of dollars that would go to a school, it is just a question of how the dollars are going to be utilized when they get to that school. I think that is important to understand as well in terms of dealing with the program of schoolwide versus the individual instruction, which has taken place before.

So for all of these reasons I am strongly supportive of keeping the poverty threshold at 40 percent which will, frankly, enable more schools, if they wish to operate schoolwide programs. It gives principals flexibility and it is, to me, proving to be beneficial. Those are the reasons that I stand forth and argue that we should do this. I would hope that we would all look at this, and I hope frankly this amendment will be defeated, but ultimately I think we all have the same aim and that is to

educate all of our children, particularly those in poverty as well as we possibly can.

I happen to think that leaving the level at 40 percent is the way to do that, and I hope that I am right, and I hope that we are able to defeat the amendment and eventually we will improve the course of our students.

I yield to the gentleman from Pennsylvania (Mr. GOODLING).

Mr. GOODLING. Mr. Chairman, I just want to indicate that teachers always came to me and said in social studies class, be sure to homogeneously group these kids. Can my colleagues imagine homogeneously grouping children in social studies. So those who never hear anything but nothing at home, if there is a dinner table, hear nothing in school, because they are all grouped together.

Children learn from other children probably more than they learn, as a matter of fact, from the teacher in that classroom. I certainly think that we should give something that is successful an opportunity to continue to succeed and save some of these children that we are losing everyday.

Mr. CASTLE. Mr. Chairman, reclaiming my time, I would just like to say, I do not like opposing an amendment sponsored by people who I think are genuinely interested in education and children. But I think in this case, the intent of what is in the legislation is right and is the direction to go.

Mr. OWENS. Mr. Chairman, I move to strike the requisite number of words. I would like to speak in support of the Payne amendment.

Mr. Chairman, we have heard a number of pedagogical considerations here which are interesting, but they avoid the real problem. The problem is money and the resources necessary to make a schoolwide program succeed. My colleagues are taking away some of the money. We move from 75 percent down to 50 percent, and now we want to move from 50 percent to 40 percent. So 75 percent to 40 percent is a radical move. My colleagues oppose going all the way down to 25 percent; that would be even more radical. But we have already made a radical move going from 75 percent to 40 percent, and my colleagues are jeopardizing the success that they claim that these schoolwide programs have achieved.

The program and the law was designed to reach the poorest children in America. The formula is driven by individual poverty; children who qualify for free lunches, that determines the amount of money one gets in a district. If one has a situation where one can play with the formula and take a school that only has 40 percent poverty and make it eligible, then one would be diluting what goes to the school that has the 75 percent poverty where we have already reduced the funding down, based on a 50 percent level of sharing.

The public concern for education is at an all-time high right now. Almost 90 percent of the voters have declared that more government assistance for education is their highest priority. In response to this overwhelming concern for the improvement of education, Title I is presently our only really significant program. But instead of providing leadership to increase the funding of Title I and increase the scope of Title I so that we can get more children in, we are going to follow the leadership of the Republican majority; we are going to seize funds from the poorest youngsters and spread it out to the more fortunate ones in the other schools.

Why do we not have an increase of funding and let all of the new money be divided between these new schools that will be qualified under the 40 percent? Why do we not respond to the public concern that we need to do more for education, not less?

We are not going to do more by taking what we have already and spreading it out. Marie Antoinette said, if the people have no bread, let them eat cake. What we are saying is that the loaf of bread is too small, but instead of getting more bread, we want to divide the loaf up into crumbs and distribute the crumbs more widely. To distribute the crumbs more widely may get a lot of political pluses because one can go back and say to their constituents that they had no Title I funds before, but look now, we are doing something about education. We brought you some funds that you did not have before. But we took them from some other place. We took them from the poorest, and we spread it out. The original law was designed to help the poorest.

That, I do not think, is a way to proceed in response to the public cry for more help with education. That is Robin Hood in reverse. What we have been doing all along, and the pattern here in the Congress under the Republican leadership is to do just this, spread it out. Ed-Flex was a beginning, straight As is coming after this, either today or tomorrow. Straight As is all about wiping out any Federal control with the money after it goes down to the local level and that means you do not have to have 40 percent or 25 percent, but just spread it out.

I yield at this point to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Chairman, I want to support the Payne amendment and say that it has nothing to do with us not wanting all children to have an education, nor does it have anything to do with finding a way to have another model to be more effective. If we take a limited amount of resources and indeed dilute that, we really take the chances of effectiveness away from the program. So if we are trying to effectively educate those who need it the most, we would not dilute that, we would try to make sure that it was more pointedly directed to that.

Take eastern North Carolina, take school districts that I know that indeed many of the school districts, not just schools, school districts, have 40 percent poverty. So when we then shift that to the more affluent school districts in my State, we have really denied that district as a whole, not just the school, to have an opportunity.

So I want to support this amendment and tell my colleagues that we need to find a way not necessarily to defeat the issue of raising all kids up, but we do not do it at the expense of the poorest of the poor, and that is, indeed, what the effect of this would be, whether we intend that or not. We would end up making sure those who are failing will be sure to fail. Not that Title I is perfect. We need to improve it, but this is not the way to do it.

Mr. SOUDER. Mr. Chairman, I move to strike the requisite number of words. I apologize for my voice. I will do the best I can. I have been involved in this issue, and I want to participate in the debate today.

I would like to clarify a few statements that are going around and add some additional comments. One is this is not a spending bill, it is an authorizing bill. This is a bill that sets policy.

Secondly, inside that policy, we are not moving dollars between school districts. This is a question of how the school district moves the dollars within a school and who is included in a given program. It is not moving from low-income districts to high-income districts; this is not driving money to the State. This affects formulas and what percentage of the students are covered within this program inside a school and inside that district.

Thirdly, I am very concerned about bipartisanship. We have talked about trying to develop this as a bipartisan bill. I am one who is a believer that if the Federal Government is going to be involved in Federal aid to education, there is a legitimate need to come in and to help low-income families where they may not have the property tax structure, they may not have the income, and that was a legitimate role, even though the Constitution was silent on the Federal role in education, because that means by definition that it was intended to local and State. But when there has been a failure such as for special needs kids or for low-income kids, the Federal Government has stepped in. My goal is not to spread targeted Federal dollars to all students in America so that everybody gets attached to the Federal dollars.

But this was to be a bipartisan bill. We worked out a compromise. Some of us are starting to feel that the only thing that is bipartisan in this is we have to do it the other side's way, or we do not do it. I am fast moving towards a no on this bill when I have been a strong advocate of this bill all the way along. I, for one, do not believe that Title I has failed. I differ from many of my conservative friends. This is like Lou Holtz coming to the University of South Carolina and South Carolina not winning this year in football

and people saying well, that failed. It takes more than a football coach to change the football program in South Carolina and turn it into Notre Dame, not that Notre Dame is the best example this year. But when we look at this, it takes split ends, it takes quarterbacks, it takes halfbacks.

Title I going to low-income schools, they often do not have a lot of other resources. This is only part of the program that goes into these schools. We cannot expect Title I to solve every problem in low-income schools. What I see in Indiana is they are doing it very effectively in targeting for reading recovery. But this is a question about flexibility. It is not a question about moving among students. In this bill, we require that the students' performance has to move up if we go down to 40. We are caring here about individual students. Why do we feel in Washington that we have to tell each principal and superintendent and teacher that they have to do it a certain way. What we want to see is that the students' scores are improving.

I am sorry I did not get down here to debate on the Armey amendment. I do not understand why people do not want to give local schools and school boards more flexibility if we say you have to improve the students' scores. The argument here is not in my case against having the money go to those who need it most. I want to see it used most effectively, whether it is public school choice, private school choice, Title I inside the schools, reading recovery programs. We want to see that the kids who are left behind in our system, who often are not able to get the job, to get the opportunities that many of us who have been more fortunate have, we want to see the most flexibility and the best ways possible to do that, and I fear that this amendment will lead to further unraveling both of that local flexibility and of this bipartisan bill.

Mr. ENGEL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. Mr. Chairman, I just want to comment very briefly on the comments of the gentleman that just preceded me.

The chairman indicated that the 50 percent Title I has been working, the gentleman from Pennsylvania (Mr. GOODLING) and that when they moved down from 75 to 50 percent that we have seen success. Why not then leave it at the 50 percent?

□ 1245

Secondly, the gentleman said that we are not shifting money around; we are simply authorizing, we are an authorizing committee. He is portraying a point that those schools now that are eligible, that would be 40 percent, they are simply going to apply for the money and therefore the pot remaining the same will simply reduce the amount of money to the higher poverty schools.

It is just like having a pot for FEMA. We do not stop and say we only have a certain amount of money and all of the tragedies and natural disasters we have are limited. We come up to the amount.

We do not do that with education. I would just like to say that we are moving money by moving the formula because those now who qualify will take the money.

Mr. ENGEL. Mr. Chairman, I rise in support of the Payne amendment. In my previous life, I was a teacher and guidance counselor in the New York City public schools and I only taught in Title I schools so I think I have some familiarity with it.

Most of the schools in my congressional district qualify as Title I schools. I agree with my colleague from New York (Mr. OWENS), who said the real problem here is that we just need more money for Title I schools. We do need more money.

The other side can scoff all they want, but the fact of the matter is every child who is eligible should be getting help. If we are going to make the commitment, and this bill goes a long way in increasing funds but we still have a long, long way to go, it seems to me that what we ought to be doing is concentrating on those schools that have the greatest levels of poverty because those are the kids that are most disadvantaged. Those are the kids that really need the help. School-wide programs have usually been limited to higher poverty schools because the performance of all people, all students in that school, tends to be low.

This amendment calls for the 50 percent poverty threshold because a level of 50 percent poverty is where we begin to see an impact on the entire school. At poverty levels below 50 percent, the school poverty level has a much smaller impact on the achievement of the entire school population. So the Payne amendment would certainly prevent the undermining of Title I's targeting provisions and ensure that these programs are focused on higher poverty schools that need improvements on a school-wide level and the poorest schools are better equipped. It will ensure that the poorest schools are better equipped to deal with school-wide problems.

I also would be remiss if I did not mention that within the City of New York there is a very distinct problem. I represent Bronx County, and the way the funds are being allocated right now hurts students in Bronx County and Queens County and New York County within the City of New York. If we had more money, we could take care of those problems without impacting negatively on the other counties.

So it seems to me that the fight here should not be a fight about a pie and who should take away from other people; but the fact is that where there are poor schools those are the schools that ought to be adequately funded. It pains me a great deal that in Bronx County we are being shortchanged with this Title I funding allocation, and again only in New York and Hawaii and parts of Virginia do we face this problem. It hurts Bronx County. It hurts Queens County. It hurts New York County; and if there were more money in this bill, we could take care of it. We could hold these districts harmless so that they could help the poorest kids and help the poorest schools.

So this goes a step in the right direction in terms of allocating more money, but in my estimation it does not do the job. If we are going to have a Federal commitment to education, and again the polls show that that is what people want across the country, a commitment to education, then we really need to put our money where our mouth is. If we are going to help children in the poorest areas, then we need to help those schools that are the poorest schools.

The bill goes in the wrong direction. The Payne amendment would right that wrong, and I wholly support it.

Mr. HOEKSTRA. Mr. Chairman, I move to strike the requisite number of words.

Mr. GOODLING. Mr. Chairman, will the gentleman yield?

Mr. HOEKSTRA. I yield to the gentleman from Pennsylvania.

Mr GOODLING. Mr. Chairman, first of all, I want to make sure one more time, this program was designed with one thing in mind. That one thing in mind was students achieving below grade level. That is what it was designed for. That is in the legislation. It has always been there.

What I really get most upset about, and I should not get carried away, but when it is said all we need is more money, that is all I heard for 20 years: all we need is more money. It has been a block grant; that is what title I has been, a block grant to districts. As long as those who are achieving two levels below grade level are met, do with it what they want; and it has failed. We have failed those children over and over again because nobody went out to check and see whether there was any quality in the program, even though all the statistics showed that they were not increasing, they were not catching up to the children who are more advantaged.

The program was designed for children who are below grade level; and, again, let us try to make it a quality program. Let us not just say that somehow or another we can take a program that has not worked, if we give it more money it will work. If more children are covered with mediocrity, then more children are just being destroyed. We want to cover them with quality.

Mr. HOEKSTRA. Mr. Chairman, the amendment that is before us now mirrors much of what we are doing in the rest of H.R. 2. This really is the first time that a Republican Congress has a chance to make real changes to Federal education policy, to try to improve Title I so that disadvantaged

children do actually learn and succeed so that we can take those who are below grade level and move them up.

The focus does have to be on accountability and achievement. There are a number of improvements in this bill that move us in that direction, but there is also a movement that I am concerned about. We have so-called accountability, but the problem is that there is not flexibility. We tell States how to target their money, where to spend it. We tell States what information to report to parents and the public on their schools.

We tell States how to desegregate students based on race and gender, and we tell States what kind of qualifications teachers and para-professionals must have. The section of the bill that we are attempting to change here is one of those areas where we provide more flexibility for school-wide programs so that we can tailor those programs to most effectively meet the needs of the children in those schools.

The amendment that we have in front of us, again, takes us away from flexibility at a local level, takes us away from having the flexibility to design the programs for the needs of the children in those schools. Like other parts of the bill, it moves decision-making away from the State and the local level and moves it back into Washington.

This Congress has had a number of successes in moving decision-making to the local level. We passed Ed-flex. We passed the teacher empowerment. Tomorrow or later today we will have the opportunity to debate the program called Straight A's. All of those programs take us in a direction that says we know who we are focused on, and we are going to let the States and the local levels design and implement the programs most effective to meet the needs of those kids; very much based on the welfare reform model, where we recognize that States and local officials care more about the people that were on welfare than the bureaucrats in Washington; that they were most concerned about moving those people off of welfare and into dignity by providing them a good job.

We are going to see the same thing in education, that when we empower people at the local level to address the students with the greatest needs, we are going to see more success. We recognize that the 34 years and the $120 billion of investment have not gotten us the kinds of results that we want. Parts of this bill move us in the right direction. Parts move us in the wrong direction, but this amendment should not be passed and we should stay with current law.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I recognize that there have been some enormously weighty arguments that have been made on this issue. They have probably been intertwined with equality and justice and fairness, and I believe the gentleman from New Jersey (Mr. PAYNE) epitomizes in his legislative agenda, throughout the time that I have known him, to affirm all of those principles.

All of us who have fought for educational opportunity, the equalizing of the doors destined to carry our young people into the rewards of strong work ethic, the ability to provide for their families, we have all supported equalizing education. In fact, this body in its wisdom, way before I came to these honored halls, had the Civil Rights Act of 1964 and the Voting Rights Act of 1965 and translated the Brown versus Topeka decision argued by Thurgood Marshall into reality by opening the doors of education and providing opportunity for those who had been excluded.

I am somewhat taken aback that we now come to a place where every American is talking about education, but yet we have an underclass of sorts, individuals who have yet been able to get on the first wrung of the ladder. Title I has proven to be the door opener in those hard-core pockets, where people are living at 50 percent of poverty threshold, barely making ends meet but every day getting up and washing and ironing that same piece of clothing for their child and getting them out that door so that they can sit in a seat of opportunity.

I go home to my district and I am always hearing, money is being wasted. It is being given to the go-along and get-along. It is being given to the people who really do not need it. Big tax shelters are being given to corporations, and though I believe in business opportunity and the idea of capitalism in this Nation but we get criticized for wasting money.

This amendment reinforces the fact, Mr. Taxpayer and Mrs. Taxpayer, that they can be assured that the money that we are putting out to educate children who otherwise would not have an opportunity to give those school districts the resources for computers, to give them special training, to provide that child who comes to school with no lunch and no breakfast opportunity at home, will be able to learn.

Is it not better to hand someone not a welfare check but rather hand them a salary check? For all of those who gathered around us to determine that we wanted to have welfare reform, what better tool, what better vehicle out of it? To undermine that threshold number says to me that my colleagues want to scatter the dollars to those who may not need it, and they want to take away the focus of the hard-core poverty.

Again, let me tell Mr. and Mrs. Taxpayer, I do not want them to get angry and say there we go again talking about the poor person; I need to make it because I am a middle-class working person. Yes, they are, and we appreciate it. What we are trying to do is to get the burden off their back by educating more of these children to ensure that they have the ability.

A pupil's poverty status is based on their eligibility for free or reduced-price lunch. The income thresholds for free or reduced-price lunch are substantially higher than the poverty level. For example, a child is eligible for reduced or free lunch if his or her family income is below 130 percent. Thus, in most cases the current school-wide program of eligibility threshold is actually 50 percent of pupils eligible for free or reduced-price lunch.

We are not throwing money away. What we are saying is that we are focusing the money so that it can be utilized properly.

Let me say that the fact that this has been taken out or put in in a reduced amount is a travesty with taxpayers' money. It is a travesty on what we tried to do. It takes away the spirit of this Congress that tried to open the doors of education. Pell grants, GI loans, all of that had to do with us saying that these are deserving people. I bet we can look back now and find out the investment in the GI loans has paid three times; the investment in Pell grants, ten times; and I can assure them that their investment in Title I funds in districts around this country where people are yearning for an education but yet do not have the resources, the lunches, the computers and various other things, I can say, Mr. and Mrs. Taxpayer, that a better investment could not have been made.

I would hope my colleagues understand that we are not trying to throw away money and we are not trying to give away money.

□ 1300

I had to come here on the floor of the House as we were ending, because I am so passionately committed to the fact that the gentleman from New Jersey (Mr. PAYNE) is right. I want this amendment to be passed, and I want the defeaters of education and quality to be defeated.

Mr. SCHAFFER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it is no secret that I am not a fan or advocate of the underlying bill, but I still care deeply about the component parts of this legislation and this part being one of them, because I believe that this particular amendment makes a bad bill worse.

I voted for this amendment at one point in committee. I did so primarily because of some of the persuasive elements in the arguments that my colleagues have just heard. But after that vote, the committee adopted several others that I would consider responsible amendments that did a better job of providing more freedom and more liberty and the ability for local administrators to spend, in fact, more money on children in schools.

In fact, the administrators of many of these programs estimated that that one amendment that dealt with the rewards program freed up funding for an additional 123,000 children, disadvantaged children around the country.

So within the context of that effort to move toward greater academic freedom, greater managerial liberty by local administrators and officials, my position on this amendment has changed dramatically. It is for that reason that I, once again, as the subsequent vote took place in committee, urge that we stay at the 40 percent level threshold as the bill has before us today.

I say that for a couple of reasons, and I really would ask all Members to consider this. We are not talking about changing one bit the allocation of appropriations to a school. By moving the threshold, however, we are allowing more schools to be involved in schoolwide programs to reach those children who have been identified to have the legitimate and honest need for additional assistance when it comes to bringing those kids up to grade level.

The amendment that is being proposed is one that actually does, that actually constricts the ability of local administrators to get those dollars to kids who need it the most.

I submit that that is the wrong direction for us to move in. I understand the temptations for those of us in Washington to try to exercise our compassion and concern, which we all share, through additional mandates, additional constraints, additional regulations. It is the problem with the amendment. It is also the problem that occurs throughout much of the rest of the bill. But in this case, we ought to take the step, even though it is a 10 percent step in the direction of schoolwide programs, of more freedom and flexibility at the local level.

None of my colleagues here know the names of the kids in the school where my children are at school today. But their principal does. Their superintendent does. Their teachers certainly do. I submit that they ought to be given, even that 10 percent additional flexibility, to design a program that approximates the needs of those children in that school; and that we are out of line, frankly, here in Washington and under a false set of pretenses to believe that somehow our judgment is superior to theirs back home. That is what the underlying bill in this provision tries to achieve, a small 10 percent adjustment in the threshold that allows more flexibility.

The amendment before us tries to take that little bit of flexibility away and return this provision of the bill back to the more prescriptive, more regulatory, more confining posture of the current law. This is not what our administrators have asked us to do. This is not what governors around the country have asked us to accomplish. This is not what any State superintendent has asked us to achieve.

This is an amendment that is one that appeals to a very narrow set of individuals in schools, those who get to control this particular line item of the cash.

I think it is time for this Congress to put children ahead of those folks for a change. What a novel idea. We do not do it entirely. We do not do it to my satisfaction.

I am still probably going to vote no on the entire bill. But with respect to this amendment, the bill does achieve a 10 percent victory for those children who have an opportunity to be engaged in schoolwide programs, it is not much of a victory, but it is one that should not be obliterated with the amendment that is in front of us.

Therefore, I ask the committee to vote no on the amendment of the gentleman from New Jersey (Mr. PAYNE).

Mr. WATT of North Carolina. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will try to be brief because I know there are a number of amendments that need to be offered and very important amendments. But this one is critically important to me for several reasons.

First of all, before I came to Congress, before I even really followed politics closely, during the Ronald Reagan presidency, I followed from a distance the debate that was going on at the national level about the role that the Federal Government should play in education. That debate has been going on consistently for a good while.

During those years, we actually came to a resolution of what the Federal Government's role should be in education, identifying what national standards should be and trying to get kids who are performing below a national standard up to what we should expect as a Nation to be the minimum standard.

At that point, Republicans, as I recall, were consistently arguing that we should have a specific definition of what the Federal Government's role in education would be. Over time, actually the country came to such a consensus that the Federal Government's role should be carefully defined and the Federal Government dollars should be restricted to fulfilling that role.

One of those roles is to make sure that kids who are performing below the Federal level standard get brought up to that standard.

I do not think we can separate the debate on this amendment from that larger question about what the Federal Government's role in education should be. Because if we abandon the definition that we have given for the Federal Government's role and start to block grant money to the local governments to make their own dispositions, then the next step beyond that is to ask, well, what is the Federal Government's role again? Why should we be involved at all in education? Why would we be collecting money, bringing it to the Federal level, and sending it back to the State level without a definition of what our role at the Federal level is and without helping to fulfill the Federal objective?

I think that is really what this amendment is all about. We have defined as a Federal role helping people who are underachieving. Poor people, poor kids are underachieving disproportionate to other children in the system. Therefore, we have elected under Title I and other similar programs to devote a disproportionate part of the Federal dollar to address that particular issue. To the extent that one steps away from that formula, then one is stepping away from the definition that we have given to the Federal role.

I think it is important to keep in mind what the Federal Government's role in education is that we have, through a process of debate and discussion over time, coalesced behind. This amendment furthers that purpose.

Now, I would not have supported cutting back from 75 to 50. I certainly would not support cutting back from 50 to 40. I guess the next step next week is going to be cutting from 40 to 0.

Then we are going to start another whole debate, I project; and that debate will be, well, okay, now we are using the Federal Government as a pass-through, so why should we have any role for the Federal Government at all?

I support the Federal Government's defined limited role in education and this amendment furthering that objective.

Mr. PETRI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. First of all, I want to again commend the leadership on this committee on both sides of the aisle for having worked so diligently and over so many months to bring H.R. 2 to the floor with bipartisan support.

I do regret the fact that, unlike some other of these negotiations that I have been involved in in other committees, that leadership, after having reached an agreement and worked out a bill that makes a number of improvements in the Title I program, is not willing on a bipartisan basis to defend the agreement on the floor of the House from amendments, whether they come from one party or the other.

Because the purpose of having negotiations and give-and-take and working out a good piece of legislation is then to stick by those agreements when we get to the floor and move the bill forward.

That having been said, I am proud that we are at this point here in the House of Representatives, with a good piece of legislation before us, authorizing more money for Title I.

We are on the verge of, in this Congress, appropriating some $350 million above what the administration has requested for Federal aid to the school children of our country, because I think we have got our priorities right here in this Congress.

We have managed to appropriate, not just talk about, and not just authorize, but appropriate more money than ever before in the history of this Republic for Pell Grants to help the neediest of

our children to go to college and vocational school and get on the ladder of success here in our country, more money for special ed, and more flexibility for school districts to deal with disadvantaged kids with handicaps here in our country.

This legislation deserves bipartisan support, not tinkering from the fringes. So I hope the amendment is defeated and the bill is passed.

Mr. FATTAH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me first defend the negotiations that were commented on by the gentleman from Wisconsin (Mr. PETRI). The Democratic leadership on this committee had negotiated a bill, and they stood on the floor, and they said that they are going to support this bill. There was never any agreement that there would not be amendments offered. But they have said they are going to support this bill whether these amendments are passed or defeated.

Now, we heard from another gentleman who said he is opposed to the bill, and he is opposed to this amendment.

I want to rise in support of this amendment because it focuses dollars that the Congress has appropriated for disadvantaged children at schools in which at least 50 percent of the children are disadvantaged.

Now, it does not take a rocket scientist to figure out that, if we were appropriating money for all children, then we would not be keying on free and reduced lunch levels, there would not be a program for children who were disadvantaged.

It is because, in 49 out of our 50 States, disadvantaged children, that is poor children, are in schools in which their State governments have found a way to have less being spent on their education than children who are not disadvantaged; that is, they start out impoverished in school districts in which the financing systems end up giving them less per pupil than in the wealthiest districts in those States.

So, now, why should the Federal Government come along with money to help disadvantaged students and dissipate the effectiveness of those dollars?

This amendment would raise the level to 50 percent. It would say one has to have 50 percent of the kids in one's school in poverty in order to have these dollars be spent on a schoolwide effort. That is a reasonable position for the Democratic leadership on the Committee on Education and the Workforce to take.

It is also understood that there was a negotiation. We are prepared to stand by that negotiation. But it does not bind the floor. Members of this Congress should come and listen to the National Education Association, the Council of the Great City Schools. Listen clearly to the administration in its statement of administration policy that they would like to see these dollars targeted if one wants to have the administration finally support this effort.

So we ask that the Congress consider the Payne amendment. We think it is a reasonable position. Those of us who support Title I and support this bill think that this would improve the bill.

We have those who do not support the bill, are not going to vote for the bill, who are saying that somehow they think that defeating the Payne amendment is the right way to go. Let us be on the side of those who support Title I and know that, even though it is a good bill, it can be improved by adding the amendment of the gentleman from New Jersey (Mr. PAYNE).

□ 1315

The CHAIRMAN pro tempore (Mr. THORNBERRY). The question is on the amendment offered by the gentleman from New Jersey (Mr. PAYNE).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Mr. PAYNE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 336, further proceedings on the amendment offered by the gentleman from New Jersey (Mr. PAYNE) will be postponed.

AMENDMENT NO. 48 OFFERED BY MR. SCHAFFER

Mr. SCHAFFER. Mr. Chairman, I offer amendment No. 48.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 48 offered by Mr. SCHAFFER:

Before section 111 of the bill, insert the following (and redesignate any subsequent sections accordingly):

SEC. 111. PUPIL SAFETY AND FAMILY SCHOOL CHOICE.

Subpart 1 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) is amended by inserting after section 1115A of such Act (20 U.S.C. 6316) the following:

"SEC. 1115B. PUPIL SAFETY AND FAMILY SCHOOL CHOICE.

''(a) IN GENERAL.—If a student is eligible to be served under section 1115(b), or attends a school eligible for a schoolwide program under section 1114, and—

''(1) becomes a victim of a violent criminal offense while in or on the grounds of a public elementary school or secondary school that the student attends and that receives assistance under this part, then the local educational agency shall allow such student to attend another public school or public charter school in the same State as the school where the criminal offense occurred, that is selected by the student's parent; or

''(2) the public school that the student attends and that receives assistance under this part has been designated as an unsafe public school, then the local educational agency may allow such student to attend another public school or public charter school in the same State as the school where the criminal offense occurred, that is selected by the student's parent.

''(b) STATE EDUCATIONAL AGENCY DETERMINATIONS.—

''(1) The State educational agency shall determine, based upon State law, what actions constitute a violent criminal offense for purposes of this section.

''(2) The State educational agency shall determine which schools in the State are unsafe public schools.

''(3) The term 'unsafe public schools' means a public school that has serious crime, violence, illegal drug, and discipline problems, as indicated by conditions that may include high rates of—

(A) expulsions and suspensions of students from school;

(B) referrals of students to alternative schools for disciplinary reasons, to special programs or schools for delinquent youth, or to juvenile court;

(C) victimization of students or teachers by criminal acts, including robbery, assault and homicide;

(D) enrolled students who are under court supervision for past criminal behavior;

(E) possession, use, sale or distribution of illegal drugs;

(F) enrolled students who are attending school while under the influence of illegal drugs or alcohol;

(G) possession or use of guns or other weapons;

(H) participation in youth gangs; or

(I) crimes against property, such as theft or vandalism.

''(c) TRANSPORTATION COSTS.—The local educational agency that serves the public school in which the violent criminal offense occurred or that serves the designated unsafe public school may use funds provided under this part to provide transportation services or to pay the reasonable costs of transportation for the student to attend the school selected by the student's parent.

''(d) SPECIAL RULE.—Any school receiving assistance provided under this section shall comply with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and not discriminate on the basis of race, color, or national origin.

''(e) PART B OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—Nothing in this section shall be construed to affect the requirements of part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

''(f) MAXIMUM AMOUNT.—Notwithstanding any other provision of this section, the amount of assistance provided under this part for a student shall not exceed the per pupil expenditure for elementary or secondary education, as appropriate, by the local educational agency that serves the school—

(1) where the violent criminal offense occurred for the fiscal year preceding the fiscal year in which the offense occurred; or

(2) designated as an unsafe public school by the State educational agency for the fiscal year preceding the fiscal year for which the designation is made.

Mr. SCHAFFER. Mr. Chairman, I ask the House's favorable consideration of my amendment No. 48.

Mr. Chairman, the bill deals with allowing families school choice in those cases where children are eligible and defined under title I of the bill and find themselves in a school that has a prevalence of violence. The bill speaks to these children in two ways. Those individuals who are first themselves victims of violent activity and, second, those that are in schools that have been defined under the bill as being subject to or being in an environment that is unsafe.

Let me be specific about the terms of the bill. An unsafe public school means

a public school that has serious crime, violence, illegal drug and discipline problems, as indicated by conditions that may include high rates of expulsion and suspension of school students; referral of students to alternative schools for disciplinary reasons, to special programs for schools for delinquent youth into juvenile court; those where there is victimization of students or teachers by criminal acts, including robbery, assault, or homicide; enrolled students who are under court supervision for past criminal behavior, possession, use, sale or distribution of illegal drugs; enrolled students who are attending school while under the influence of illegal drugs or alcohol possession, or use of guns or other weapons; participation of youth in gangs; crimes against property, such as theft and vandalism.

It is virtually impossible, I would submit, at least according to most educators I have spoken with, to compete with these kind of unreasonable circumstances and environments in trying to deliver educational services to the children who need them most. It is the children who need them most who oftentimes find themselves in these exact kinds of settings and school conditions.

I realize there are many here who believe that school choice is a bad idea. I am not one of them. I think free and open market approaches to public schooling is, in fact, a good idea. But I think in this one example we ought to be able to find wide and common agreement that those children who are victims of violence and also find themselves in violent schools ought to be given the freedom to exercise school choice; to choose another setting that more approximately meets the needs of those children; that offers a better opportunity for children to learn in less threatening environments; that gives real hope for children that there are teachers and there are places where the only objective of their setting is to teach and it is to learn and it is to grow academically, not to constantly be looking over one's shoulder wondering whether they too might be the next victim.

This amendment is, I think, a very reasonable step in the right direction. It does address those schools that we all know to exist, where violence seems to be chronic and where children have a huge hurdle to clear with respect to education. This gives them a relief valve, an escape hatch, a way to find schools that teach, schools that work, and environments that are safe.

It is on that basis, Mr. Chairman, that I ask for the body's favorable consideration of amendment 48.

Mr. KILDEE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I believe this amendment is unnecessary and is presently covered under the current Title I statute. Because it appears that it does not expand current law, we will accept it on this side.

Mr. HOEKSTRA. Mr. Chairman, I rise in support of my colleague's amendment.

The opportunity to move students from a school where they have experienced crime or serious problems, I think, is a proper direction. Again, what we are doing is we are providing flexibility. In this case, we are empowering students, we are empowering parents, and we are empowering local school districts to make the appropriate decision for their children as to where they need to be educated. Again, this builds on the other programs that we have introduced and passed this year that are moving decision-making back to the local level, back to teachers, and back to States. This is really the appropriate place for those decisions to be made.

In this amendment we are empowering parents and we are empowering people at the local level to do the right thing to help their students. I encourage my colleagues to support this amendment.

Mr. GOODLING. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have a couple of questions for the author of the legislation. In the legislation at the present time, we allow parents to move children within a school district to another school, or a charter school in that district, if it is classified as a dysfunctional school or a nonachieving school.

As I understand the gentleman's amendment, he expands that to say that an individual can go across district lines to a public school or a charter school, and also if it is because of the problems that are in the school beyond academic problems. Do I understand that correctly?

Mr. SCHAFFER. Mr. Chairman, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from Colorado.

Mr. SCHAFFER. The gentleman is correct. The choice mechanism in the bill, as drafted, triggers the choice option only in those cases where schools are determined to be nonachieving schools, or failing schools. This amendment acknowledges that it is quite possible, in fact likely in many cases, that an achieving school, one that is succeeding, may also be a violent school on occasion.

So in those instances we give an additional trigger, I guess, in this bill, would be the appropriate way to say it, that allows parents whose children suffer from violence or in violent schools that do not meet the definition currently in the bill the option of choosing another academic setting in a public school or a public charter school.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Colorado (Mr. SCHAFFER).

The amendment was agreed to.

AMENDMENT NO. 43 OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I offer amendment No. 43.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 43 offered by Mr. ROEMER: In section 1002(a) of the Elementary and Secondary Education Act of 1965, as proposed to be amended by section 103 of the bill strike ''$8,350,000,000'' and insert ''$9,850,000,000''.

Mr. ROEMER. Mr. Chairman, I offer this bipartisan amendment to increase the money for the poorest and most at-risk children in America under Title I funding programs by $1.5 billion. I offer this on behalf of myself, on behalf of the gentleman from New York (Mr. QUINN), a Republican; the gentlewoman from New York (Mrs. KELLY), a Republican; and the gentleman from North Carolina (Mr. ETHERIDGE), a Democrat.

Now my colleagues know, on both sides of the aisle, that I probably come down into the House well often to cut a program, to argue for a balanced budget, to encourage this body to have a provision in the legislative appropriations bill where we can return money out of our office accounts back to the treasury so that we reduce the debt; and I have been the coauthor of that bill for the last 8 years, but I do not come down into this well to throw money at problems. But today we have a bipartisan bill, a bill that is not the status quo, a bill that does not continue a program that has had some problems lifting many children that are 1 year or 2 years behind in reading and math and science back to the level they should be.

We have taken appropriate action in this Republican-Democratic bill to address those concerns. The very strength of that action, that bipartisan action, was to require tougher certification for the teachers, all teachers certified in those programs by 2003, and to require that para-professionals who are working in this program and being paid can no longer be simply working toward a high school degree or a GED. Now they need to be certified.

We provide an incentive program for those children and those schools that do better. We have an incentive program in here now to reward those good schools. We have tightened up the accountability in this bill. We have tightened up the standards in this bill. We have improved drastically, in a bipartisan way, the Title I program for the most at-risk, the poorest, and the most disadvantaged kids in America. Why can we not then put a little bit more money into this program to make sure those kids have the opportunity to learn? That is why I came to Congress, is to improve the education system in this country. That is what we are doing in this bill.

Now my colleagues might say, okay, how much money is it going to take? We currently have today, my colleagues, 4 million children in the Title I program that do not get a dime, they do not get a nickel, they do not get a penny. We do not help them. $1.5 billion. Would it make a difference to

some of them? Yes. To all of them? According to the Congressional Research Service, they say it would take $24 billion to fully fund Title I.

My amendment, my bipartisan amendment, would simply lift the funding from $8.3 billion to $9.8 billion, $15 billion short of what it would take to fully fund this program for the poorest, most at-risk kids, who, if they drop out of school, are more likely to get involved in delinquency, are more likely maybe to fall into juvenile centers or to get into the incarceration system, and then we really pay a price. So I would encourage my colleagues to vote for this bipartisan increase.

And I just want to end on the fact that 196 years ago, in 1803, the Senate ratified the Louisiana Purchase Treaty on a vote of 24 to 7. We bought the western half of the Mississippi River Basin from France for less than 3 cents per acre. We expanded the size of the country and paved the way for western development. This is a better investment, in our children, in our future, in giving people a chance to succeed spiritually, emotionally and educationally. Let us give our kids a chance to get a good, decent education in America today. Vote for this bipartisan amendment.

Mr. GOODLING. Mr. Chairman, I move to strike the last word.

We have just heard the same chorus that we have heard for 20 or 30 years. If we just had more money, somehow or other the problems will go away. Even though the program is not a quality program, something good will happen. All we need to do is spend more money.

□ 1330

Well, it has not worked, and we have been spending more money and spending more money. Now we believe we have put together a piece of legislation that will work. And so, we are going to show to those appropriators, as a matter of fact, as this kicks in and becomes a reality, that it is beginning to work. And, therefore, I am sure they will be happy to pour in much more money.

But we have already, and we had an agreement, three leaders on their side agreed, we are appropriating $7.7 billion. We moved it up to $8.35 billion. That was a bipartisan agreement. I realize they are not worth much, I suppose. But, nevertheless, that was the bipartisan agreement. We had moved it up to $8.35 billion.

First all, the 1997 study was a disaster. The 1998 study indicated that, somehow or other, we improved a little bit on NAPE scores for these youngsters, we got them back up to where they were 10 years before.

However, all that is under investigation now. Because it also appears that the way to do that is, as I told them in committee the way they did when I was to fire on the rifle range and because I was so cross-eyed I did not know which was my target and it messed us up and our platoon did not do as well as the other platoons, so my sergeant said, well, we will just put somebody else's helmet on your head and that way our company will do well, and that sounds about like what we are trying to do here.

We have to prove now to the appropriators that we put together a piece of legislation that is, for the first time in the history of Title I, going to help improve the academic achievement of those most in need, those who are two grade levels below. Because that is what Title I is all about. And so, we have to prove that.

But already we have taken a gamble and said, we know it is going to succeed. Get it through the Senate. Get it down, and get it signed and we know it will succeed.

So we said, okay, not $7.7 billion, $8.35 billion, which, as I said, was negotiated, was agreed upon by several of the leaders on that side and our side.

So I would hope, again, that we first prove that we have finally made the changes in this legislation that will help the most disadvantaged youngsters in this country to receive a quality education so we can close the gap.

More money has never done it. Covering more children with mediocrity has never done it. Now, more money with excellence, that is a different story. But we are now in a position that we have to prove that. We have to prove what we put together collectively in a bipartisan fashion will, as a matter of fact, turn this whole situation around. So I would say we have already increased it.

Let us not hold out a lot of hope, and it is false hope of course, by simply raising an authorization level beyond what we have already done.

Mr. KIND. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise as a strong supporter of this very important amendment in this reauthorization process. I commend my friend, the gentleman from Indiana (Mr. ROEMER), and my good friend the gentleman from New York (Mr. QUINN) for offering this amendment.

Mr. Chairman, when I came to the United States Congress, I came from the fiscal tradition of Senator Bill Proxmire in Wisconsin. I am very proud of the fiscally responsible record that I have developed as a young Member of this body. I believe we can maintain fiscal discipline while making crucial investments for our future.

I do not often come to the House floor asking for an expansion of programs or more money for programs unless I feel in my heart that it is absolutely vital and necessary in order to accomplish the goals of those programs. This, Mr. Chairman, is one of those programs. An expansion of Title I funding, I believe, is just dealing with reality.

There are school districts all around the country, high-poverty school districts, that are in desperate need of basic supplies, more material, and more resources. We have one example of the commitment that teachers are putting into their own profession and in their own schools from a news report that was released just a couple of weeks ago in the city of Waterbury, Connecticut, when teachers with their first two paychecks voluntarily took money out of their own pockets totaling $303,000 dollars and donated it back to the school district in order to use it for more books and supplies and computers and other educational needs. And it was based on a matching fund agreement with the city and the school board.

This is just one example of many across the country of teachers who are willing to dip into their own pockets to buy supplies for the students that they are responsible for because policymakers are not doing the job, not giving them the tools to succeed with their students. That is a tragedy, especially when we are talking about a program such as Title I that is targeted to the highest at-risk students, who have the greatest need, and are the most disadvantaged students across the country.

This is comparable to the great epic struggle of the 20th century for Western Civilization, the Second World War, with Winston Churchill coming to the United States, which was an isolationist country at the time and a reluctant ally to get involved with the fight against Naziism and fascism. Churchill understood that and he went to F.D.R. and said, I understand the position you are in as a Nation, your reluctance to get involved in European entanglements. But if you give us the tools, we will finish the job. The United States did give England the tools through Lend-Lease and Churchill called that the most ''unsordid act'' of generosity.

That is a common refrain we are hearing from across the country from administrators and parents and teachers that if we policymakers can just give them the tools, they can finish the job. This is the next great challenge that we face as a Nation in the 21st century: to be able to provide quality educational opportunities for all our children regardless of where they live and the wealth of their communities.

Yes, we can demand greater accountability and even more flexibility at the local level. We did that earlier this year with the Ed-Flex legislation. But let us not delude ourselves into believing that this debate is not also about dollars and cents to the classroom. Adequate resources is a very important ingredient to doing the job that we would like to see local school districts be able to perform in enhancing student performance and giving all of our children the educational opportunities that they desperately need and deserve.

So I want to encourage the Members of this body, in the bipartisan spirit in which the amendment is offered, to support this amendment and improve on what is a good bill but what can be a better bill with the passage of the

$1.5 billion increase in the authorization level.

This is just an authorization level. We still have to convince the appropriators that this is a level that needs to be fully funded. But I think it also sends not only a message to the appropriators but to the American people that the United States Congress is getting serious about establishing the priorities that are important to our country. Education is one such priority that should be at the top of the list when it comes to balancing the budget and allocating our limited resources for one of the most effective investments that we can make in our children.

Mr. QUINN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am not going to take all 5 minutes. I just want to rise in support of the work my good friend the gentleman from Indiana (Mr. ROEMER) has done and others have spoken to and want to say how pleased I am to offer this amendment.

I also want to mention the fact, as others have and will, that I am a firm believer that just throwing more money at many problems does not solve them.

I know the background of the gentleman from Pennsylvania (Chairman GOODLING) is in education. I happened to have been a middle school teacher for 10 years before I came to work here in the Congress and know that there are some problems we will never fix no matter how much money we throw at them or throw toward them or with them.

This is one, though, that works. This is one where I think we are appreciative of the work that the chairman and the ranking member of the full committee and the chairman and the ranking member also of the subcommittee. We appreciate that increase of 7.7 up to 8.3.

We are suggesting another modest increase that will not solve all the problems, will not be a panacea, and there will still be some problems. But I want to point out, Mr. Speaker, that there are some problems in this country in some schools where when and if we can get some additional funding it will make a difference.

I am convinced that this is one of those areas where that will work. I am convinced that when we approach this in a bipartisan way, we will have success. We are willing to work with the committee and the appropriators to make sure that that kind of money is made available.

I urge all of my colleagues to support the amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Chairman, I am very proud of this legislation that we have before us this afternoon on the floor of the House of Representatives, and I think that the committee has done a magnificent task in changing the direction of the Title I program. I think that is why it took us so long to mark it up in committee. That is why we are spending a considerable amount of time on it here on the floor yesterday and today.

But the fact of the matter is, as the gentleman from Indiana (Mr. ROEMER) pointed out, we are changing the direction of this program; and as the gentleman from Pennsylvania (Mr. GOODLING) has pointed out a number of times, we are changing the direction of this program. We are taking a program that for all too long did not have much accountability in it, did not affix responsibility to parties, it really did not have standards of excellence in it. We are changing that now; and, in fact, we are redirecting this program on a course of excellence and accountability and performance.

The time has come where we can no longer, with the knowledge that we have of the number of children who are not able to participate, not provide the adequate funding so that those children can participate to the full extent of the advantages of this law. They must be included in this program. The Roemer amendment provides for that to happen. That is why we ought to support it.

One of the things when we look at schools that are reconstituted by local school boards, the governing bodies of local Government, when we look at schools where venture capitalists have come in, various firms have been formed now to take over some of these schools and run them on a private market model where they have turned them into charter schools, it is very interesting that in many of these schools that are poor performing and have a disproportionate number of disadvantaged children in these schools, the first thing they do is add money. The very first thing the private marketers do is they add money to these schools.

It runs about a half a million dollars a school. When they say, pay us, we will run their school, we will get the results for them, we will show them how the market system will work, the first thing they do is invest capital in those schools on behalf of those disadvantaged children.

Money does make a difference. It, in fact, does make a difference. And that is what private firm after private firm after private firm has been doing with these schools.

As everybody here has just claimed, that does not mean that throwing money at a problem will solve that problem. But here there are many problems that will not be fixed if we do not have money. And children who are not included in this program are not going to get the advantages of it.

I think we should take the pride of our workmanship here, we should take the understanding of the redirection that we have given to this program on a bipartisan basis, and we ought to take the Roemer amendment and try to add to the funding for this program for excellence. We ought to add to this funding for the results that we expect and for the accountability that is in this program.

Because we are challenging the States, we are challenging the States on behalf of the Federal taxpayers to close the gap between rich and poor students, between majority and minority students. We are challenging the States to provide qualified teachers in every classroom within 4 years. With those kinds of changes in this program, we have the opportunity to deliver a program of excellence at the local level on behalf of these students.

As the gentleman from Indiana (Mr. ROEMER) has pointed out, we cannot continue to allow the tremendous number of students who are not included in this program, who do not get served in this program, to continue to happen in this country because we are losing those children and their opportunity to participate in our economy, to participate in our society to the fullest extent of their potential.

Because that is the tragedy, the downside of not properly funding this program. That is why this amendment is well placed, it is well directed, and I think we ought to recognize that that amendment is a complement to the work that this committee has done and the faith we have in these very, very difficult changes, very tough changes that we have made in this program at the urging of the chairman of the committee, the ranking member, and the two subcommittee chairmen and ranking members of this committee.

I urge passage of the Roemer amendment.

Mr. HOEKSTRA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I urge my colleagues to vote no on this amendment.

The interesting thing about this process has been it has been a bipartisan effort. My understanding is that the bipartisan bill that was negotiated in good faith included an increase in the authorization level from $7.7 billion a year to $8.35 billion.

I believe, as my chairman said earlier in the debate on this, we are finding that bipartisan agreements do not necessarily mean a whole lot anymore. What we are now finding is that, in this bill, we are moving from the current authorization from $7.7 billion in its proposal to move up to $9.85 billion.

This is a 36-percent increase in funding for a bill that my colleagues on the committee have said all of the reports would indicate that we are not doing very well with this program.

Today, 34 years later since the inception of Title I, we still see a huge gap in the achievement levels between students from poor families and students from non-poor families.

□ 1345

I do not want new money for Title I until we fix it. I am not sure there ever

was a time when Title I was unbroken, but it certainly is broken now.

So before we take a look at whether the changes that are in this bill which move more accountability and more control to Washington, before we take a look at whether what I believe is a misdirected step actually will improve the education of our most neediest children, this amendment says, ''Let's throw 36 percent more money at the problem before we realize whether the changes that we have proposed will actually make a difference or not.''

I do not think that is necessarily a good step to take. I do not think it is a wise step to take. I urge my colleagues to oppose this amendment.

Ms. WOOLSEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it sounds like we are being criticized because we would throw money at our schools, and our accusers might be right. We do want to throw money at our public schools, and we know that by putting more money into our public schools, we would solve many problems.

Think about it. We do not hesitate to throw money at the Department of Defense. We throw plenty of money to build roads and bridges. But when it comes to our schools and to our children, somehow it is rude to talk about spending money. Somehow all of our schools, regardless of where they are, are expected to give all of our students a first-class education on a second-rate budget. Mr. Chairman, it will not happen if we continue to do this.

If this country, led by this Congress, does not begin to invest in our children and do it now, it will not matter how many fancy new weapons our defense funds buy, because there will not be enough soldiers with the education to use those weapons. And there may not be any new weapons at all because who is going to be educated enough to build and design these weapons? Who will be mixing the materials and operating the machinery to build all those new roads and bridges? Have my colleagues seen how high tech the equipment is these days?

Mr. Chairman, I am going to be voting for the gentleman from Indiana's amendment to increase funding for Title I. $24 billion is barely what we need. That is what the Congressional Research Service says that we would need to fully fund Title I. Let us get with it, let us support our children, and let us increase the funding for Title I.

Mrs. KELLY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today to support the Roemer-Quinn-Kelly amendment to H.R. 2, the Student Results Act. I commend the Members of the Committee on Education and the Workforce under the leadership of the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from Missouri (Mr. CLAY) for bringing this bipartisan legislation before us today. Under the language of H.R. 2, Title I has been authorized at a level of $8.35 billion. Our amendment would increase this authorization by $1.5 billion, to bring it to a total of $9.85 billion for the fiscal years 2000 through 2005.

The Student Results Act will hold our educational system to a higher set of standards. It requires the States and the school districts to issue report cards on student achievement to the parents and the community. It also recognizes that there is an active achievement gap, and demands that the State and local education agencies establish a plan to close this gap.

H.R. 2 provides choice and flexibility and rewards while demanding accountability, quality and results. The bill before us today continues to provide flexibility for our State and local education agencies which we have already established earlier this year in the Ed-Flex bill and the Teacher Empowerment Act. The Title I program is the largest Federal commitment to elementary and secondary education in the reauthorization before Congress this year. Passage of our amendment will provide additional funds to help States, school districts and schools make the changes necessary to raise student achievement across the board.

As a former public school teacher and the mother of four, I support public schools. And I know that few things are more important to the future success of our children and our Nation than education. I urge my colleagues to support this amendment as well as the underlying bill. In doing so, we will demonstrate our real commitment to Title I programs and to improving the educational system in this Nation.

Mr. ETHERIDGE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I, like my other colleagues, rise to support the Roemer-Quinn-Kelly-Etheridge amendment to increase Title I funding to $9.85 billion. I will be very brief. I will not use all my time. The reason I will not is because this ought to happen and we ought not even to be debating it.

This will provide additional funding for more students. Over a third of the students are not now allowed to be involved in this program because there is not enough funding and the funding level is too low to provide for the curriculum enrichment that many of these children need, for the staff development that needs to be done, and the accountability in this bill in my opinion is what we ought to be about. And the report card is certainly needed. It is what we have done in North Carolina now for almost 10 years.

It has made a difference in our State and it will make a difference in this Nation. It ought not be a debatable issue. It ought to be something we are moving on and doing.

Finally, Mr. Chairman, let me say that approximately 99 percent of this money, of Title I money, goes to that local school. My colleagues on the left over here, as they refer to themselves on the right, are always talking about how much goes to the classroom. Ninety-nine percent of this money goes directly to the local school unit, for those children that so badly need it, that have the greatest need. If we are going to improve education in America, we are going to improve it for all children and every classroom in every corner of this country. Let us pass this amendment.

Mr. DAVIS of Florida. Mr. Chairman, I move to strike the requisite number of words.

I rise in strong support of the Roemer-Kelly-Quinn amendment and want to make two points: The first is the reason I support this amendment, I think one of our highest priorities ought to be providing the tools to our teachers and principals in our most struggling schools to help their students survive. The second point I want to make pertains to a question that was asked which was, do we really know what works, are we really willing to make that investment?

Let me offer to my colleagues as an example the State of Florida. In the State of Florida, we are having a terribly hardy debate right now about vouchers. I personally do not support vouchers. But when you look past all the speeches that are being made, what Democrats and Republicans, what virtually all lawmakers agree upon, is that we know what works to help our most struggling students succeed. It is smaller class size, it is giving after-school and before-school programs, it is providing tutor support, exactly the ingredients to success contained in this amendment. We know it works. We do not need to wait. We need to do it. I urge strong support of the Roemer amendment.

Mr. CASTLE. Mr. Chairman, I move to strike the requisite number of words.

I will be brief, Mr. Chairman. Most of these points have been made. Title I, I think, is very, very important. And I think covering as many children as we can within some degree of reason is very, very important. We are making significant changes in this legislation, most of which, if not all of which, I happen to believe are positive and I think things that we should do.

One of the key things that was worked out, and it has already been stressed by the gentleman from Pennsylvania, but was worked out with the key Members from the other side, the gentleman from Missouri (Mr. CLAY), the gentleman from California (Mr. GEORGE MILLER), the gentleman from Michigan (Mr. KILDEE), the ranking members over there, was the increase which is included here, and I stress that that is an increase which is included here, the good faith increases to $8.35 billion from $7.7 billion. I am doing this math in my head, so hopefully it is correct. But I think that is about a 9 percent increase in the authorization. That is a 1-year increase in authorization.

In this amendment, we are dealing with an increase which is about a 25 percent increase, and I am not sure that they could even put that into place, much less be able to sustain it. But from an economic point of view, there are many things we have to do in education. We have to deal with IDEA, we have to deal with all the other programs involved in the ESEA, and there are many other things we have to do in general. I just do not think this is a responsible step.

I think it is disappointing that we have not taken the stand of the bipartisan leadership of this community on that and endorsed the new and higher figure which they recommended. Hopefully we can defeat this amendment and go ahead and pass the bill and there will be an increase and we will be able to help those kids who are disadvantaged more than we do now.

Mr. GREEN of Texas. Mr. Chairman, I move to strike the requisite number of words.

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Chairman, I will be as brief as possible because I know I have colleagues who have amendments. I rise in support of the Roemer-Kelly-Quinn amendment and talk about that it is just $1.5 billion in authorization. The biggest battle always is in the Committee on Appropriations that is done every year here. But this lets us at least go to the Committee on Appropriations because we have to authorize before we can appropriate.

This year we have seen that what has happened with the Committee on Appropriations, literally the Labor-HHS appropriations bill is the last one that comes up on the floor of the House, it is a second thought to everything else we do and it really should be the first thought. Education is expensive. It is expensive for teachers, expensive for administrators, for parents, but mostly it is expensive for the community. That is why this authorization, even though it is a partial loaf, is so important.

If my colleagues think education is expensive, they ought to see how expensive ignorance is, because we see what is happening, whether it be the businesses in my district along the Houston ship channel trying to hire students or like my colleague from California said earlier, young people who graduate from high school to join our military, we need to make sure they are qualified and they are ready to go into business and industry or else to serve their country.

Again, this is just a partial success, but we have thousands of students all over the country who are not served by Title I and this authorization increase would be a great first step.

Mr. CROWLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I, too, wanted to rise on this amendment, the Roemer-Quinn-Kelly-Etheridge amendment, et al. Increasing Title I by $1.5 billion will go a long way. It will not go far enough as far as I am concerned where in New York City only one-third of the eligible students for Title I actually receive Title I funding. There is more we have to do to help education in this country. We have to build more classrooms, lower class size, get more funding from the Federal Government for school construction and modernization. But I think even more importantly, we have to make sure there is money there in this budget for all children who are entitled to Title I education program funding.

The CHAIRMAN pro tempore (Mr. LATHAM). The question is on the amendment offered by the gentleman from Indiana (Mr. ROEMER).

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

Mr. GOODLING. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 336, further proceedings on the amendment offered by the gentleman from Indiana (Mr. ROEMER) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT NO. 9 OFFERED BY MR. ANDREWS

Mr. ANDREWS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. ANDREWS:

At the end of section 1114 of the the Elementary and Secondary Education Act of 1965, as proposed to be amended by section 108 of the bill, add the following:

''(e) PREKINDERGARTEN PROGRAM.—

''(1) IN GENERAL.—A school that is eligible for a schoolwide program under this section may use funds made available under this title to establish or enhance prekindergarten programs in accordance with paragraph (2).

''(2) CONTENTS.—Before a school uses funds made available under this title to establish or enhance prekindergarten programs it shall consider the following:

''(A) The need to establish or expand a prekindergarten program.

''(B) Hiring individuals to work with children in the prekindergarten program who are teachers or child development specialists certified by the State.

''(C) The ratio of teacher or child development specialist to children not exceeding 10–1.

''(D) Developing a sliding fee schedule to ensure that the parents of a child who attends a prekindergarten program established under this section share in the cost of providing the prekindergarten program, with the amount of such contribution not to exceed $50 each week that a child attends such program.

''(E) That none of the funds received under this title may be used for the construction or renovation of existing or new facilities (except for minor remodeling needed to accomplish the purposes of this subsection).

''(F) Using a collaborative process with organizations and members of the community that have an interest and experience in early childhood development and education to establish prekindergarten programs.

''(G) Coordinating with and expanding, but not duplicating or supplanting, early childhood programs that exist in the community.

''(H) Providing scientifically based research on early childhood education services that focus on language, literacy, and reading development.

''(I) How the program will meet the diverse needs of children aged 0–5 in the community, including children who have special needs.

''(J) Employing methods that ensure a smooth transition for participating students from early childhood education to kindergarten and early elementary education.

''(K) The results the programs are intended to achieve, and what tools to use to measure the progress in attaining those results.

''(L) Providing, either directly or through private contributions, non-Federal matching funds equal to not less than 50 percent of the amount of the funds used under this title for the prekindergarten programs, with such contributions including in kind contributions and parental co-payments.

''(M) Developing a plan to operate the program without using funds made available under this title.

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

Mr. ANDREWS. Mr. Chairman, I first want to thank the gentleman from Wisconsin (Mr. PETRI) for his indulgence. I would be open to the gentleman from Pennsylvania's suggestion of a second-degree amendment. The purpose of this amendment is to make it clear that under whole school reform, pre-K programs may be offered on a whole school basis for children.

AMENDMENT OFFERED BY MR. GOODLING TO AMENDMENT NO. 9 OFFERED BY MR. ANDREWS

Mr. GOODLING. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. GOODLING to amendment No. 9 offered by Mr. ANDREWS:

Strike line 1 on page 1 and all that follows through line 20 on page 3 of the amendment (subsection (e) that is proposed to be added by the amendment at the end of section 1114 of the Elementary and Secondary Education Act of 1965) and insert the following:

''(e) PREKINDERGARTEN PROGRAM.—A school that is eligible for a schoolwide program under this section may use funds made available under this title to establish or enhance prekindergarten programs for 3, 4, and 5-year old children, such as Even Start programs.''.

Mr. GOODLING (during the reading). Mr. Chairman, I ask unanimous consent that the amendment to the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. GOODLING. Mr. Chairman, in its present form, the Andrews amendment lays the groundwork for expanding prekindergarten programs by developing a specific set of criteria that schools must consider when using Title I money for pre-K programs under schoolwide reform.

My second-degree amendment maintains the language that allows schools to use funds under the schoolwide program to establish or enhance prekindergarten programs but strikes the

specific set of criteria. In other words, my amendment explicitly says that schools can use Title I money to establish or enhance prekindergarten programs for 3-, 4- and 5-year-old children, including such programs as Even Start.

In doing so, it provides schools with the necessary flexibility that is needed to run a schoolwide program without dictating a series of additional requirements. I understand that the gentleman from New Jersey is supportive of this change and I appreciate his work on the issue.

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Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

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

Mr. ANDREWS. I appreciate the gentleman from Pennsylvania's bipartisan cooperation. I believe this is a good step forward. I would yield back to the gentleman and thank him for his help.

The CHAIRMAN pro tempore (Mr. LATHAM). The question is on the amendment offered by the gentleman from Pennsylvania (Mr. GOODLING) to the amendment offered by the gentleman from New Jersey (Mr. ANDREWS).

The amendment to the amendment was agreed to.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS), as amended.

The amendment, as amended, was agreed to.

AMENDMENT NO. 42 OFFERED BY MR. PETRI

Mr. PETRI. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 42 offered by Mr. PETRI:

After section 1128 of the Elementary and Secondary Education Act of 1965, as proposed to be added by section 126 of the bill, insert the following:

SEC. 127. ESTABLISHMENT OF PILOT CHILD CENTERED PROGRAMS.

Part A of title I is amended by adding at the end the following:

"Subpart 3—Pilot Child Centered Program

"SEC. 1131. DEFINITIONS.

''In this subpart:

''(1) ELIGIBLE CHILD.—The term 'eligible child' means a child who—

''(A) is an eligible child under this part; and

''(B) the State or participating local educational agency elects to serve under this subpart.

''(2) PARTICIPATING LOCAL EDUCATIONAL AGENCY.—The term 'participating local educational agency' means a local educational agency that elects under section 1132 to carry out a child centered program under this subpart.

''(3) SCHOOL.—The term 'school' means an institutional day or residential school that provides elementary or secondary education, as determined under State law, except that such term does not include any school that provides education beyond grade 12.

''(4) EDUCATION SERVICES.—The term 'education services' means services intended—

''(A) to meet the individual educational needs of eligible children; and

''(B) to enable eligible children to meet challenging State curriculum, content, and student performance standards.

''(5) TUTORIAL ASSISTANCE PROVIDERS.—The term 'tutorial assistance provider' means a public or private entity that—

''(A) has a record of effectiveness in providing tutorial assistance to school children; or

''(B) uses instructional practices based on scientific research.

"SEC. 1132. CHILD CENTERED PROGRAM FUNDING.

''(a) FUNDING.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall grant to the first 10 States that meet the requirements of paragraph (2) the authority to use funds made available under subparts 1 and 2, to carry out a child centered program under this subpart on a Statewide basis or to allow local educational agencies in such State to elect to carry out such a program on a districtwide basis.

''(2) REQUIREMENTS.—To be eligible to participate in a program under this subpart, a State shall provide to the Secretary a request to carry out a child centered program and certification of approval for such participation from the State legislature and Governor.

''(b) PARTICIPATING LOCAL EDUCATIONAL AGENCY ELECTION.—If a State does not carry out a child centered program under this subpart, but allows local educational agencies in the State to carry out child centered programs under this subpart, the Secretary shall provide the funds that a participating local educational agency is eligible to receive under subparts 1 and 2 directly to the local educational agency to enable the local educational agency to carry out the child centered program.

"SEC. 1133. CHILD CENTERED PROGRAM REQUIREMENTS.

''(a) USES.—Under a child centered program—

''(1) the State or participating local educational agency shall establish a per pupil amount based on the number of eligible children in the State or the school district served by the participating local educational agency; and

''(2) the State or participating local educational agency may vary the per pupil amount to take into account factors that may include—

''(A) variations in the cost of providing education services in different parts of the State or the school district served by the participating local educational agency;

''(B) the cost of providing services to pupils with different educational needs; or

''(C) the desirability of placing priority on selected grades; and

''(3) the State or the participating local educational agency shall make available a certificate for the per pupil amount determined under paragraphs (1) and (2) to the parent or legal guardian of each eligible child, which certificate shall be used for education services for the eligible child that are—

''(A) subject to subparagraph (B), provided by the child's school, directly or through a contract for the provision of supplemental education services with any governmental or nongovernmental agency, school, postsecondary educational institution, or other entity, including a private organization or business; or

''(B) if requested by the parent or legal guardian of an eligible child, purchased from a tutorial assistance provider, or another public or private school, selected by the parent or guardian.

"SEC. 1134. LIMITATION ON CONDITIONS; PREEMPTION.

Nothing in this subpart shall be construed to preempt any provision of a State constitution or State statute that pertains to the expenditure of State funds in or by religious institutions.''.

Mr. PETRI. Mr. Chairman, this amendment establishes a pilot program that allows up to 10 States or school districts with the approval of their respective State legislatures and governors to convert Title I into a portable benefit, one that follows the child to the education service chosen by his or her parents. The amendment gives interested States wide latitude to vary the amount of the benefit according to factors such as differences in cost of services in different areas of the State, differences in educational needs of students, or a desire to place priority on selected grades.

The amendment also provides wide latitude in the types of educational services which may be covered. This amendment does not require States to provide benefits to all poor students regardless of educational need, as some have indicated. States are explicitly allowed to target the funds as they wish. Therefore, this provision will not necessarily dilute the assistance provided to current Title I recipients. In fact, Mr. Chairman, States can increase targeting to those students with the greatest educational need if they so wish.

Similarly, the amendment need not threaten school-wide programs. For example, States could provide that any child attending a school with a schoolwide program must use his or her Title I benefit to pay for that program. If the State also provides public school choice, it would then get some highly useful market-based feedback on the perceived value of those school-wide programs.

The child-centered benefit might be more difficult in the current program to administer, but I prefer to let the States and school districts decide whether the benefit of this approach exceeds any such costs.

The basic philosophy of this amendment is that if something is broken we should allow people to try to fix it. I am not sure if there ever really was a time when Title I was unbroken, but it is certainly broken now. There are some places where it works, including some in my own district, but on the whole studies show that the $120 billion we have spent on this program over the years has failed the children that it was supposed to help.

It is time to let the States try something different, and it is especially appealing to allow experimentation when we have so little clues when it is so unlikely that we will do worse than the current program.

And what is the heart of the experiment allowed by this amendment? It gives power to parents. If education bureaucracies have not helped their children, why not give some decision-making power to parents? To those who

argue poor parents cannot make good decisions, I reply that that represents the kind of bureaucratic paternalism that has failed practically everywhere it has been applied. To those who argue that the likely per-child benefit on the order of some $650 is not a lot, well I reply that it is something, and something is better than nothing.

It will offer some choices and give parents some power and the responsibility to play some direct role in the education of their children. The money could pay for supplementary services from a variety of sources including a child's own public school. It could even be used by a private school student to pay for an exemplary after-school or Saturday morning program at a public school. We should never assume that the public schools could not compete for these dollars. But if some parents decided that the best option for their children was to apply their $650 toward private school tuition rather than supplementary services of any kind and that $650 made the difference in enabling them to afford the tuition, I believe we owe it to their children to allow them to make that choice.

Some decades ago, Mr. Chairman, many folks used the slogan: Power to the People. Of course, they really meant power to themselves claiming to represent the people. This amendment provides real power to the people and one of the strongest kind, purchasing power. In every other case where individual consumers make decisions, we get better and cheaper goods and services. Why not try that in compensatory education?

Remember, this is a pilot program. We are trying a different approach. If it does not work, we can return to the drawing board and consider other options; but if it does work, Mr. Chairman, if it does make a difference to our educationally disadvantaged students, then it means that today with this bill in this 106th Congress we will have significantly affected the future of America and of her children. What have we got to lose?

I urge all my colleagues to support this amendment.

Mr. KILDEE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Wisconsin.

Mr. Chairman, for similar reasons on the Armey amendment I rise to oppose my good friend from Wisconsin's (Mr. PETRI) amendment. We have already voted on the issue of private school vouchers both in committee and earlier today on the floor; and in both times, Mr. Chairman, the amendments were defeated overwhelmingly.

The Petri amendment would allow Title I funds to be diverted from the poor public schools to be used for private school vouchers in 10 States. We all know that vouchers do raise the usual constitutional issues, and others argue also that they could jeopardize the independence of our private schools and certainly undermine the administration of the Title I program; and also, when we look at the real amount authorized in this amendment for vouchers, it certainly would be too small for poor families who actually send their children to private schools where the tuition is usually quite high.

I think rather than diverting funds to private schools, we should be investing additional resources to public schools where over 90 percent of America's children learn every day. We defeated by a very sound margin earlier today the Armey amendment, and as my colleagues defeated that amendment, I would urge my colleagues to defeat the Petri amendment.

Mr. SOUDER. Mr. Chairman, I move to strike the last word.

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

Mr. SOUDER. Mr. Chairman, I rise in strong support of the amendment offered by my friend, the gentleman from Wisconsin (Mr. PETRI), and it has been a privilege to work with him in committee and here on the floor.

I support this amendment because I believe our Nation's students will immeasurably be benefited when Federal money begins to follow the child. This is a proposal that has been floated for a number of years by Checker Finn and others. It has been supported by the Heritage Foundation and is hardly a strange concept. We have a similar approach in college funding called Pell grants named after former Senator Claiborne Pell, a Democrat. Out of deference to my friend from Michigan, I guess we will not call these Kildee grants, but it is not a new concept that we would have the money follow the student and follow the child. We have done this in college education for years and have not disrupted public educational colleges, and it has strengthened in fact the choices that parents have.

This amendment simply allows 10 States to experiment with a new pilot program. One would think that we were trying to gut the schools rather than saying if the legislature and the governor decide in a few pilot States that they want to experiment that they should be allowed to do so.

I believe in choice. I believe in public school choice. I believe in private school choice, and one of the most astounding things that is happening in America is watching in the urban centers in particular the rapid growth of African American and other minority school choice programs run by locals who are concerned that their kids are not getting the education. It is not sufficient to say that the dollars that go to Title I to the student is not enough to cover the tuition.

The fact is in Cleveland, when the court just threw out their private school support program, the parents worked together to come up with that money because they are very concerned about the quality of education for their students. The Catholic church for years has subsidized members of their parish who cannot afford it. We see that in Golden Rule in Indiana with Pat Rooney. He has put together scholarship funds. We see Ted Forstman and others do this. The demand is far exceeding. There are supplemental ways to get the income in. Some sacrifice for the parents. They are voting with their feet, and not every school costs like St. Albans, where our vice president may send his children or like the private schools in Washington where Members of Congress may send their children or the private schools around the country where the affluent send their children. There are many lower cost private schools where people, apparently the only people who can have those choices are middle-class and upper-class parents, not the lower-income people who need the desperate education.

Furthermore, let me make clear that it is not a matter of just this sudden abandonment of the public schools. We are not going to wipe out our Federal education programs for the public schools because even if we maximized private school choice, for multiple reasons it would probably never hit in this country. If we had a pure voucher system, more than 20 percent.

I went to public schools; my kids are in public schools. Most people are not going to abandon their local school. It is close, they know the teachers, they are invested in it. But denying those who have the most at stake who most need the best education possible the possibility of even having a pilot program that would have to clear State legislature and a governor and give them an opportunity that if they can find a place where they can take this voucher or at least have the leverage to go to the school and say, I might take my child out if you do not respond to some of my concerns, to deprive the powerless of any power over their school systems, they often have very little control over the school boards already. They are ignored by the principals; they are ignored by the teachers. At least if they could take their money like a middle-class or an upper-class family and say, I might leave, perhaps they would be listened to.

Why would we take the most powerless in this society and say, everybody but you gets a choice, but not you.

Mr. Chairman, I include the following for the RECORD:

[From the Public Interest, Fall, 1998]

THOMAS B. FORDHAM FOUNDATION

WASHINGTON VERSUS SCHOOL REFORM

(By Chester E. Finn, Jr., and Michael J. Petrilli)

[Note: This is the original manuscript and has been heavily edited by the Public Interest.]

''Promiscuous'' is an overused word in Washington these days, but it aptly describes the trend in federal education policy-both at 1600 Pennsylvania Avenue and on Capital Hill. The 1990's have seen the wanton transformation of innumerable notions, fads and impulses into new government programs and proposals for many more such. Since inauguration day, 1993, the Clinton administration alone has embraced dozens of novel education schemes, including subsidies for state

academic standards, tax credits for school construction, paying for teachers to be appraised by a national standards board, hiring 100,000 new teachers to shrink class size, ensuring ''equity'' in textbooks, collecting gender-sensitive data on the pay of high school coaches, boosting the self-esteem of rural students, establishing a Native Hawaiian education Council, connecting every classroom to the Internet, developing before-and after-school programs, forging mentoring relationships between college students and middle schoolers, increasing the number of school drug-prevention counselors, requiring school uniforms, and fostering character education. ''Superintendent Clinton'' has also supported the Family Involvement Partnership, the America Reads partnership. Lighthouse Partnerships (for teacher training), HOPE Scholarships, Presidential Honors Scholarships, Americorps, Voluntary National Tests, Education Opportunity Zones, and Comprehensive School Reform Grants. And that's just a selection from the brimming smorgasbord.

But Mr. Clinton is not alone. Nor is policy promiscuity indulged in only by lusty Democrats. Roving-eyed Republicans in Congress have proposed, inter alia, slashing class size, ending social promotion, legalizing school prayer, replacing textbooks with laptops, funding environmental education, paying for school metal detectors, and creating a new literacy program.

As education has ascended the list of policy issues that trouble voters, politicians of every stripe have predictably lunged for it. This has led Washington officials to shoulder problems and embrace initiatives that once were deemed the proper province of states and communities (or individual schools and families). The federal education policy arena has come to resemble a vast flea market, where practically any program idea can be put on display and offered for purchase without regard to its soundness or effectiveness. As at a flea market, there's plenty of old stuff hanging around, too. Once created, education programs seldom disappear, no matter how poorly they accomplish their stated purposes and no matter what harm they may do along the way.

It's not that their authorizers and appropriators are ignorant. The major programs have been evaluated time and again. Countless studies have shown that most of them, for all their laudable ambitions and fine-sounding titles, do little or no good. What then accounts for this risky—even reckless—behavior? Why can't federal officials keep their wallets zipped? Today's promiscuous approach has four main origins:

(1) The clamor for someone to do something. Education is clearly a problem. Solving that problem ranks high with voters and taxpayers. The simplest way to give at least the appearance of action is to propose another program or three. Of course, this impulse isn't confined to Washington. Many governors, legislators, mayors and aldermen have spent their way into citizens' hearts with pricey education programs. As the 1998 election draws closer, reports the Washington Post, local, state, and national candidates of both parties are stumbling over one another with promises to shrink third grade classes, build new classrooms, launch after-school programs, etc.

(2) Devotion to focus group fancies and pollsters' pointers. The public is vague about how it wants education to change, and rather naive about the sources of its problems. The easiest, surest way to appeal to voters is to offer to do something with instant, intuitive appeal, like shrinking classes or refurbishing buildings, even if that something won't actually solve any real problems. One thereby avoids being labeled ''anti-education'' because one wants to overhaul or—quel horreur—scrap some dysfunctional program or disrupt an established interest. Democrats have long tended to solve education problems by hurling new programs at them. When Republicans briefly and clumsily tried a surgical approach in 1995, they wounded themselves (for seeking to trim the school lunch program and scrap the federal education department, etc.) They, too, have mostly retreated from the operating room to the program delivery room. Even when they propose a radical innovation, such as Paul Coverdell's education savings account (which would lightly subsidize private school attendance), they no longer offer it instead of an obsolete program; it is nearly always an addition to the federal nursery.

(3) Gridlock over the tough ideas that might actually effect change. One serious reform strategy focuses on standards and accountability, the other on school choice and diversification. It's not hard to design a shrewd blend, combining national standards with radical decentralization and merging tough accountability measures with school choice. But politicians with an eye on their ''base''—or an upcoming primary—won't yield an inch on their pet schemes and aversions. Unable to reach agreement on genuine reforms, they reach instead for crowd-pleasers.

(4) The marginal nature of the federal role in education. Washington furnishes just seven percent of the K–12 education budget. Federal officials know very well that nothing they do will have great impact. Since they're not ultimately responsible for what happens in the schools, heedlessness comes easy to them. They rarely behave quite so immaturely in policy areas where Uncle Sam plays the lead role, such as national defense, Social Security and international trade.

HOW WE GOT HERE

Because the Constitution assigns Washington no responsibility whatsoever for education, the federal role is guided by no general principles. It just grew. This property never had a master plan, an architectural design or even a central structure, just a series of random sheds, annexes and outbuildings. Though some early construction can be found as far back as the Northwest Ordinance of 1787 and the creation of land-grant colleges in 1862, the federal role in education is essentially a late Twentieth century design. Indeed, save for vocational education, the G.I. bill, the post-Sputnik ''national defense education act,'' and, of course, the judiciary's deep involvement in school desegration, the federal role as we know it is a creation of the mid-sixties, of Lyndon Johnson's Great Society.

The major legislation of the day included Head Start (1964), the Elementary and Secondary Education Act (1965), the Higher Education Act (1965), the Bilingual Education Act (1968), and, soon after, the Education for All Handicapped Children Act (1975). All these programs sought to expand access to education for needy or impoverished segments of the population—and to disguise general aid to schools as help for the disadvantaged. The dozens of programs created by these five statutes (and their subsequent reauthorizations) script the federal role in education today.

That role will soon be up for review. The 106th Congress will reauthorize the centerpiece Elementary and Secondary Education Act (E.S.E.A.) and its $11 billion worth of programs, accounting for fully a third of the Education Department's budget. Out of 69 K–12 programs currently administered by that agency, 47 are authorized by E.S.E.A. Title I, the largest of them at nearly $8 billion, is included, as are bilingual education, safe and drug free schools, the Eisenhower professional development program, and scores more.

These programs mostly began under Lyndon Johnson (and up now no Republican Congress has had a crack at them), but their support has been bipartisan. Richard Nixon presided over a significant expansion of aid to college students. Gerald Ford signed the burdensome ''special education'' bill into law.

The Reagan and Bush administrations proposed to return control to states and localities. They found early success—federal K–12 education spending declined 21 percent in real terms between 1980 and 1985. But funding for these programs then skyrocketed 28 percent from 1985 to 1992, and another 14 percent during Clinton's first term. Their complexity grew, too. The 1994 version of the Elementary and Secondary Education Act—passed just a few weeks before the GOP won control of Congress—sprawled over 1000 pages. Today, the federal government currently spends $100 billion per year on over 700 education programs spanning 39 agencies. The Department of Education manages roughly one-third of this money and employs close to 5000 people.

CHANGING PROBLEMS, UNCHANGING PROGRAMS

The underlying assumptions of the federal role in education have not changed since LBJ occupied the Oval Office. Increasing access to more and more services—rather than boosting achievement and productivity—is the primary mission. States and localities are assumed to be unjust, stingy, and stubborn. Top-down regulations and financial incentives are assumed to be the surest ways to induce change. And Uncle Sam's primary clients are assumed to be school systems, not states and municipalities, and certainly not children and families.

It's remarkable how stable these assumptions have been despite thirty-plus years of failure. America's schools remain perilously weak. Whether one looks at worldwide math and science results, comparisons of ''value added'' over time, or other indices of achievement, they simply don't measure up-except in spending, where U.S. outlays per-pupil are among the planet's loftiest. Domestically, our National assessment results are mediocre-to-dismal, and the achievement (and school completion) levels for minority youngsters and inner-city residents are catastrophic. In Ohio, for example, the school districts of Cleveland, Youngstown, and Dayton are all posting drop-out rates of greater than 40 percent. Nationally, a staggering 77 percent of fourth-graders from high-poverty urban schools cannot read at a basic level. The achievement gap between the rich and poor and between whites and minorities has not closed; it may even be growing. After three decades, billions of dollars, and thousands of pages of statutes and regulations, we have astonishingly little to show for the effort.

One might think policy makers would take notice. One might suppose they would demand a fundamental overhaul, a thorough hosing-out of this Augcan stable of feckless programs and greedy interest groups. But one would be wrong. In a spectacular example of throwing good money after bad and refusing to learn from either experience or research, the scores of program proposals made within the past few years simply extend—indeed deepen—the familiar trend.

The recent proposals and new programs don't sound exactly like the old ones. Although the basic approach is the same, the language has been updated. Today's programs are generally mooted in phrases that focus groups favor, such as ''comprehensive services,'' ''mentoring'' and ''literacy.''

Most of them fall under three headings: ''partnerships'' that mask government activism under complex organizational links; the extension of services into new domains; and the adoption by Uncle Sam of duties and responsibilities that were once the province of states and communities.

''PARTNERSHIPS''

''Partnership,'' the pollsters assure us, is a ''warm'' term that focus groups adore. Upon examination, though, most ''partnerships'' turn out resemble what used to be called ''bureaucracies.'' Consider the ''Lighthouse Partnerships'' for teacher training, proposed by the Clinton administration and supported by several Republicans (and soon to be enacted). Washington's dollars would allow ''model'' colleges of education to ''partner'' with weaker ones. They would also ''partner'' with state education agencies, local school districts, and non-profit organizations. All these new partners would supposedly work together to improve teacher training.

Nobody can quite explain why federal funding is necessary for them to cooperate. They are all supposed to be improving teacher training in the first place. Nor is it clear that anything real will result from their newly-subsidized bonding. Will teachers be tested on more difficult material? Will schools of education be held accountable for producing teachers who know their stuff? Will students learn more? No one can be sure, since the stated mission of the program is simply to encourage institutions to hook up with one another. What is certain is that teacher training colleges and other pillars of the education establishment will reap added financial benefits. The traditional monopoly will be strengthened and the teacher quality problem, far from being solved, will likely be exacerbated.

COLONIZING NEW TERRITORY

The President recently trotted out a proposal to support ''community learning centers'' that tutor students and provide them with a safe place to go after school. It's hard to fault the impulse (though like most ''compensatory'' efforts it may let the original malefactors off the hook—why is it that most public schools close by 3 p.m.?). But is there a compelling reason for the federal government to fund them? And won't Uncle Sam's embrace prove to be a chokehold?

If there is any sure lesson from these years of experience, it is that regulatory entanglements follow federal funding. New programs bring unaccustomed mandates, fresh conditions and additional rules. We'll wake up one day to learn that the new after-school centers must be accredited, or staffed by certified teachers (or unionized teachers); they can be sponsored only by secular organizations; their buildings must be built or rehabbed by workers paid the ''prevailing'' union wage; they will have to teach diversity and conflict resolution, saving the environment, or esteem-building via ''cooperative learning.''

Are there compelling benefits that outweigh these costs? Perhaps some esoteric expertise that the federal government is privy to when it comes to after-school tutoring? We have not spotted it. The only real asset Washington has to offer to education is money. But at present the states have more of that than they really need. Their combined surplus was estimated by the National Conference of State Legislatures at $28.3 billion for FY 1997. With so many dollars floating around, why burden worthy programs with Washington-style red tape? States, philanthropies, and local communities could easily create after-school havens for kids and recruit tutors for those who need help. Why must the Department of Education grow a ''bureau of community learning centers'' to manage this process?

MINDING OTHER PEOPLE'S BUSINESS

Far from being stodgy, recalcitrant and ignorant, the states today are bubbling labs of education reform and innovation. Information about promising programs gets around the country in a flash. A few years ago no states produced school-by-school ''report cards''; now at least a dozen do. Five years ago, only eight states had charter school laws. Today, 33 have enacted them. This copycat behavior can be seen even at the municipal level. Chicago's successful accountability plan—ending social promotion and requiring summer school for those who failed—is being mimicked by dozens of communities, just as Chicago's dramatic new school governance scheme (with the mayor in charge) is being adapted for use in other communities. Yet the tendency in Washington is still to nationalize problems and programs that states and communities are capable of tackling.

When, for example, did class size become a federal issue? It's states and communities that hire and pay teachers. It's states and communities that make the trade-offs, deciding, for example, whether they would prefer a large number of inexperienced, low-cost teachers or a smaller number of pricey veterans. Long before Mr. Clinton (and, for the Republicans, Congressman Bill Paxon) decided that smaller classes are better, several states were headed this way on their own. And while the idea is undeniably popular with parents, state class-size reduction initiatives have shown that its efficacy is unsure and its unintended consequences numerous. Pete Wilson's class size reduction plan for California, for example, prompted a mass exodus of experienced teachers from inner-city schools to posh suburbs, leaving disadvantaged kids with even less qualified teachers than before. Teacher shortages are now rampant and thousands of people have received ''emergency waivers.'' Instead of remedying the real teacher crisis—the lack of deeply knowledgeable instructors—it has made the situation worse.

Research on class size is also inconclusive. Most studies show no systematic link between smaller classes and higher achieving pupils. The versions that seem to yield the greatest gains are those that slash class size below fifteen kids. Such an expensive proposition must be weighed against the opportunity costs of other programs, strategies, or initiatives that could be funded. Some communities might decide the price is worth it, while others would rather use their incremental dollars in different ways.

But Mr. Clinton's across-the-nation plan does not allow for such delicate and decentralized decision-making. While the President often uses words like ''autonomy'' and ''accountability,'' his proposal would micromanage school staffing and budget priorities from Washington.

Once upon a time, Uncle Sam provided some real leadership in educational innovation. Now that the states are taking charge, the feds appear disoriented, playing ''me too.'' And not just with respect to class size. From ending social promotion, to adopting school uniforms, to implementing accountability systems, Washington now reverberates with echoes of state and local initiatives.

A CHANCE TO REPENT

A rare opportunity is at hand for a top-to-bottom overhaul. The public seems readier for fundamental reforms in education than ever before—and indeed is getting a taste of them at the grassroots level. There we can glimpse higher standards, tougher accountability systems, brand-new institutional forms and profound power shifts. Surveys make it plain that voters, taxpayers and parents are hungry for charter schools, for ending social promotion, for tougher discipline, for more attention to basic skills, and for school choice. Privately-funded voucher programs are booming, with hundreds of millions of philanthropic dollars now being lavished on them and thousands of children in queues for lotteries to participate. Two cities have publicly-funded voucher programs, and more soon will. Charter schools are spreading like kudzu. And opinion leaders from newspaper columnists to business leaders to college presidents—are signaling their own readiness to try something very different.

Into this shifting landscape will soon drop the periodic reauthorization of the Elementary and Secondary Education Act. The federal role in education could be almost entirely reshaped via this one piece of legislation. But will it be?

Plenty of political obstacles block the path to a true overhaul. Three decades of doing things one way creates huge inertia, and every program, indeed every line in this endless statute, now serves an entrenched interest or embedded assumption. Still, that was also true of welfare a few years back, and Washington was able to muster the will and imagination to change it anyway—once policymakers understood that the old arrangement had failed and allowed themselves to visualize a different design.

What would a different approach to the federal role in K–12 education look like? We see three basic strategies.

BLOCK GRANTS

Instead of myriad categorical programs, each with its own regulations and incentives to prod or tempt sluggish states and cities into doing right by children, what about trusting the states (or localities) with the money? do federal officials really know better than governors and mayors what the top education reform priorities of Utica or Houston or Baltimore should be? The block grant strategy rests on the belief that, while states and communities may crave financial help from Washington to solve their education problems, they don't need to be told what to do.

Block grants can be fashioned without cutting aid dollars at all. (Indeed, by reducing the overhead and transaction costs of dozens of separate, fussy programs, they should enable more of the available resources to go to direct services to children.) Rather, they amalgamate the funding of several programs and hand it to states (or communities) in lump sums that can be spent on a wide range of locally-determined needs. In so doing, they dissolve meddlesome categorical programs in pools of money.

Block grants also rid the nation of harmful programs, which get dissolved in the same pools. Do federal taxpayers really need to be funding the development of TV shows for kids? How about the sustenance of ''model'' gender-equity programs? Are ''regional education laboratories'' still needed to disseminate reform ideas in the age of the Internet?

Block grants come in every imaginable size and shape. If all the programs in E.S.E.A. were combined into a single one, at 1999 appropriation levels the average state would receive $220 million per annum to use as it saw fit. Earlier this year, the Senate passed a somewhat smaller block grant designed by Washington's Slade Gorton, which assembled some 21 categorical programs into a block grant totaling $10.3 billion. (Facing a Clinton veto threat, it was later deleted by Senate-House conferees.)

Block grants respect the Tenth Amendment and—in our view properly—leave states

in the driver's seat. They allow Uncle Sam to add fuel to the gas tank but they hand the keys to the governors. In the process, federal bureaucracy is slashed—along with the state and local bureaucracies that currently service the torrent of federal regulations (and are paid for with overhead siphoned from federal grants before any services are provided to children).

VOUCHERS

While block grants hand money and power back to the states, vouchers empower families directly. Instead of writing fifty checks, Washington would send millions of them straight to needy children and their parents, thus helping them meet their education needs as they see fit. Vouchers shift power from producers to consumers.

This is already standard practice in federal higher education policy, where an historic choice was made in 1972; students rather than colleges became the main recipients of federal air. A low-income college student establishes his own eligibility for a Pell Grant (or Stafford Loan, etc.), and then carries it with him to the college of his choice. That might mean Stanford or Michigan State, Assumption College or the Acme Truck Driving School. The institution only gets its hands on the cash if it succeeds in attracting and retaining that student.

The same thing could be done with federal programs meant to aid needy elementary and secondary students. The big Title I program, for example, spends almost $8 billion annually to provide ''compensatory'' education to some 6.5 million low-income youngsters. That's about $1250 apiece. What if the money went straight to those families to purchase their compensatory education wherever they like: from their public or private school, to be sure, but also from a commercial tutoring service, a software company, a summer program, an after-school or weekend program, or the local public library? Title I would turn into millions of mini-scholarship, like little Pell grants. A similar approach could be taken to any program where individual students' eligibility is based on specific conditions: limited English proficiency, disability, etc.

The argument for vouchers is that a program designed to help people in need should channel the resources directly to them, not to institutions, intermediaries or experts. Giving families cash empowers them while also building incentives for providers to develop appealing, effective programs. Furthermore, they make disadvantaged children financially attractive to schools and other service providers.

The question most often asked about vouchers is whether families can be trusted to do right by their own children. We think the answer is yes about 99 times out of a hundred and experience with publicly- and privately-funded voucher plans all over the country seems to confirm that intuition.

How about the administrative headache of linking the federal government directly to millions of families? Such huge direct-grant programs as social security and veterans' benefits show that this can be done. But it's still an invitation to bureaucracy and confusion.

There are alternatives to direct relationships between Uncle Sam and millions of children and families, however. A hybrid strategy of vouchers and block grants, for example, would turn the money over to states for them to hand out in the form of vouchers. Or the whole process could be outsourced to private financial services managers (much like the new welfare services providers).

BUST THE TRUSTS

While the first two strategies loosen Uncle Sam's grip and shift power and decisions away from Washington, the third demands vigorous federal action. It calls for Big Government to tackle Big Education. Think of it as trust-busting.

Even if all federal programs were block granted, or voucherized, after all, the present power structure would still be in charge. School administrators, teachers' unions, colleges of education and similar groups have erected a fortress that devolution may slightly weaken but will not vanquish. Lisa Graham Keegan, Arizona's crusading Superintendent of Public Instruction, understands this well. By pressing for charter schools, for school choice, for capital dollars ''strapped to the back'' of individual children, and for tough statewide standards, she has started to break the iron establishment grip that has long been obscured by the beguiling phrase ''local control.'' As David Brooks recently wrote, Keegan recognizes that ''If you really want to dismantle the welfare state, you need a period of activist government; you need to centralize authority in order to bust entrenched interests.''

Though the agencies sometimes overstep their bounds, few question the role of the Justice Department and Federal Trade Commission in combating monopoly and collusion in the private sector. Education is currently the largest protected monopoly in our country; a tough federal agency that presses for true competition might work wonders.

What education ''trusts'' need busting? Our three leading candidates are:

(1) The information monopoly. Education consumers inmost of the U.S. lack ready access to reliable, intelligible information about student, teacher, and school performance. By manipulating the information, the establishment hides the seriousness of the problem. While most Americans know the education system is troubled, they also believe that their local school serves its students well. This is the misinformation machine at work. There's need for the education equivalent of an independent audit—and it's a legitimate role for the federal government, albeit one that many Republicans in Congress have so far been loath to permit.

(2) The teacher training monopoly. Due to state licensure rules, virtually all public school teachers must march through colleges of education en route to the classroom. As indicated by Massachusetts' recent teacher-testing debacle (over 60% of those taking the Commonwealth's new certification test flunked), those campuses aren't even teaching the rudiments. Institutions other than traditional ed schools should be allowed to prepare future teachers. Knowledgeable individuals should be allowed to bypass formal teacher training altogether. And nobody who has not mastered his/her subject matter should enter the classroom at all. Federal programs—including grants and loans to college students—could wield considerable leverage in this area.

(3) Exclusive franchises. Local public school monopolies need competitors. Entities besides local school boards and state bureaucracies should be allowed to create and run schools. Private and nonprofit managers should be encouraged to do so. Any school that is open to the public, paid for by the public and accountable to public authorities for its performance should be deemed a ''public school''—and eligible for all forms of federal aid. Vigorous trust-busting undeniably smacks of Big Government. It's as much a Washington-knows-best strategy as was the Great Society. But it directs that strategy against the genuine problems of 1998 rather than the vestigial problems of 1965.

WHAT TO DO?

These approaches to the reconstitution of federal education policy are not mutually exclusive. All three would shift power away from vested interests. All three would profoundly alter the patterns established over the past third of a century. In reconstructing the federal role, especially its centerpiece Elementary and Secondary Education Act, through these means—and deciding which current programs warrant what treatment—we would be guided by a trio of principles:

(1) First, do no harm. This is part of the Hippocratic oath, familiar to budding doctors but a solemn pledge that policymakers should make, too. Federal programs should not impede promising state and local initiatives or contravene family priorities.

(2) Consumer sovereignty. Federal aid should actually serve the needs of its putative beneficiaries—primarily children and families—rather than the interests of the education system qua system.

(3) Quality, not quantity. America has largely licked the challenge of supplying enough education. Today's great problem is that what's being supplied isn't good enough. The mid-sixties preoccupation with ''more'' needs to be replaced by a fixation on ''better.''

Applying those principles to E.S.E.A. via the three strategies outlined above, here are some specifics:

Block grant. Most of today's categorical programs—and all of the pork barrel programs—should be amalgamated into flexible block grants that are entrusted to states—not to the ''state education agency'' but to the governor and legislature. Most of E.S.E.A.'s 47 programs would benefit from this fate. Into the mix go myriad teacher-training programs, including the $800 million Eisenhower Professional Development Program. Also the Safe and Drug Free Schools Program, which has yet to yield safe or drug free schools. Impact aid, school reform grants, technology money, facilities funds, arts education programs, and many another vestige of some lawmaker's urge to play school board president should be thrown in. So should the regional labs, the gender-equity programs, federally-funded TV shows, and the like. Interest groups will object because they crave (and have grown dependent on) the categorical aid. Also protesting will be the (literally) thousands of state education department employees whose salaries are paid by Washington. But block grants will largely remove Uncle Sam's hands from the education cookie jar. States can use the funds for their own reform plans. The strings should be very few—possibly a requirement that the money be spent on direct services, perhaps a priority for low-income kids, maybe a commitment from the states to publish their scores on the National Assessment of Educational Progress—and states should have the right to convert their block grants into vouchers if they wish. The total value of the most obvious candidates for block-granting is (at 1998 spending levels) about $3 billion, or $60 million per state. Throwing in a few other categorical programs that would benefit from this treatment (such as the ''Goals 2000'' program, the school-to-work program, and vocational education) would boost the total to roughly $5 billion, or $100 million per state.

Voucherize. Take the three big programs aimed at helping needy individuals—Title I for the poor, special education for the disabled, and bilingual education for those who don't yet speak English well—and hand that money directly to the putative beneficiaries. Take the annual appropriations for each program and divide by the number of students eligible for aid. Using 1998 numbers, this would mean youngsters eligible for Title I would each receive a $1250 annual stipend. Those who cannot yet speak English would receive a $130 voucher. Special education

students would receive aid in relation to the severity of their disability, with amounts ranging from $200 to $1200 in federal money. A family whose child is poor, disabled and does not yet speak English would receive a check in the $1600 to $2600 range, all within current budget levels. Such a system would certainly empower consumers, slash federal red tape, and create a world of new educational services and providers vying for the attention of disadvantaged students.

Bust the trusts. To crush the information monopoly, Congress should renew the National Assessment of Educational Progress (which also expires the next year) on a more independent basis—and authorize its governing board to make those standards-based tests available to communities, schools, even individual parents. This would replace the politically-stalemated ''voluntary national test'' that Mr. Clinton proposed with a more flexible instrument that enjoys greater insulation from politicians, bureaucrats and special interests.

To tackle the teacher training monopoly, Washington should fund alternatives to ed schools. Think of them as ''charter schools'' for future teachers. Uncle Sam can also make shoddy schools of education accountable by holding their federal aid hostage to graduates' meeting minimal standards of knowledge and skill.

To end the exclusive franchise of local school districts and state bureaucracies, the federal government should vigorously support the development of thousands of charter schools and other supply-side innovations (like contract schools, alternative schools, etc.). These schools should only be supported, though, if they are held to high standards and operate independently from school districts and state regulations.

Finally, to tilt federal incentives in the direction of quality, Washington should insist that all students seeking federal college grants and loans first pass a rigorous high school exit exam. Students will not get serious about academics until there are palpable consequences linked to academic standards—an obvious point that has been hammered home by (among others) the perceptive columnist Robert Samuelson and the late teacher union chief, Albert Shanker. (This will also serve to hold voucher schools to high academic standards—as their business will dissipate if their graduates cannot matriculate to college.)

Could trust-busting activities get out of hand? Yes, indeed. Perhaps these functions should be overseen by an outfit one step removed from direct political influence, much like the National Assessment Governing Board. Maybe governors should be empowered to excuse their states from these initiatives, if they attest that the cause of education reform would be advanced by immunity from all Federal meddling. But we suspect that most governors would quietly welcome as much help as they can get in combating the education establishment.

THE NEXT WELFARE REFORM?

The Elementary and Secondary Education Act will likely be signed into law just before the presidential election in 2000. The legislative process is cranking up with field hearings and advisory panels already being convened by the Clinton administration. If 33 years of history is any guide, the likeliest outcome will be minor tweaking of extant programs. They may not work—they may even do harm—but they have great momentum and plenty of vested interests, and the few members of Congress who really understand them tend to favor the status quo. Certainly the administration will do nothing to rile its friends in the school establishment. So there will be plenty of proposals to tinker and fine tune. A few decrepit programs may even vanish, to be replaced by new fads and pet schemes. The bad habits of a third of a century will go unconquered and the Johnson-era conception of the federal role in education will endure for another five or six years.

But there could be an altogether different ending to the tale, a transformation of the federal education bazaar from flea-market to a consumer-focused department store. While promiscuity may well continue elsewhere inside the Beltway, it plainly isn't good for schools or children. When it comes to education, Federal officials should pledge themselves to temperance, prudence and clean living.

[From the Wall Street Journal, January 20, 1999]

THOMAS B. FORDHAM FOUNDATION

CLINTON'S SCHOOL PLAN IS A GOOD START. LET'S GO FURTHER

(By Diane Ravitch)

Every opinion poll shows that education is now the public's top domestic priority. Every poll also shows that the public wants schools to have higher academic standards and to be safe and orderly places. So it was not surprising that President Clinton would stress education in his State of the Union address last night.

The president wants to set federal guidelines for teacher training, student discipline, school performance and promotion policy. School districts that violate the new federal guidelines would risk losing their federal funding. Federal aid to the schools—about $20 billion—is considerably less than 10% of what Americans spend for public education, but no district is going to risk losing even that fraction of its budget.

The White House has raided the right issues, and it is about time. In the 34 years since Congress passed the Elementary and Secondary Education Act, federal money has been spread to as many districts as possible with scant regard for whether its beneficiaries—especially poor kids—were actually learning anything. For too many years, federal aid to the schools has been both burdensome and ineffective. Now the president wants to establish quality standards to accompany the federal aid.

This proposal makes some important points: Schools should never have started promoting kids who have not mastered the work of their grade; they should have effective disciplinary codes; they should never hire teachers who don't know their subject; and they should issue informative school report cards to parents and the public.

And yet experience suggests that when the education lobbyists begin to influence any future legislation, we can expect more regulation and more bureaucrats, and precious few real standards. This is why Mr. Clinton must link his proposals to deregulation, thus liberating schools from redundant administrators, onerous regulations and excessive costs, most of which are imposed by current federal education programs.

The best way to do this would be to turn the key federal program for poor kids—Title I—into a portable entitlement, so that the money follows the child, like a college scholarship. Presently, federal money goes to the school district, where bureaucrats watch it, dispense it and find manifold ways to multiply their tasks and add to their staffs. As a portable entitlement, Title I's $8 billion would allow poor children to attend the school of their choice instead of being stuck in low-performing schools. It would be a powerful stimulus for school choice. At the very least, states should be given waivers to direct federal money to the child, not the district.

There are additional steps that Mr. Clinton should take now to enhance incentives for student performance in current federal programs:

Renew a campaign to authorize national tests in fourth-grade reading and eighth-grade mathematics. President Clinton proposed this last year, but it has languished because of opposition from conservative Republicans and liberal Democrats. If he can't resuscitate that proposal, then he should ask Congress to allow individual districts and schools to administer the excellent subject-matter tests devised by the National Assessment of Educational Progress (which only statewide samples of students can take now). As the excitement over a new fourth-grade reading test demonstrated last week in New York state, nothing concentrates the mind of students, parents and teachers like a test.

Adopt, by executive order, a terrific idea floated by columnist Robert Samuelson: Require any student who wants a federal scholarship for college to pass a 12th-grade test of reading, writing and mathematics. Half of all college students get some form of federal aid. This should not be an entitlement. If students must pass a moderately rigorous examination to get their college aid, there would be a dramatic and instantaneous boost in incentives to study hard in high school and junior high school.

Adopt, by executive order, real educational standards for Head Start and set better qualifications for Head Start teachers. This preschool program was supposed to give poor children a chance to catch up with their better-off peers, but it has turned into a big day-care program with no real educational focus for the kids who need literacy and numerary the most.

Require that those who teach in federally funded programs have a degree in an academic subject and pass a test of subject-matter knowledge and teaching competence. This should apply to all teachers, not just the newly hired.

Mr. Clinton has described some important changes for American education. Whether or not Congress endorses his plan, he has pointed the national discussion about education in the right direction, toward standards and accountability. If we can add to that a strong dose of deregulation, choice and competition, we will be on the road to educational renewal.

Mr. GOODLING. Mr. Chairman, I move to strike the requisite number of words, and I do this only because I am afraid time will run out and I will not be able to thank the people who worked day and night for 6 or 8 months.

I discovered one thing in 4 days of markup and 2 days on the floor. I am still very, very naive after 25 years in this institution. But I still have 13 months to go, and maybe I will lose some of that naivete and realize that agreements are agreements only when we say they are and they are gone 2 minutes later.

But I want to make sure that I thank people who worked around the clock day and night on this legislation, and I want to thank Sally Lovejoy, Kent Talbert, Christie Wolfe, Darcy Philps, Lynn Selmser, Becky Campoverde, Kevin Talley, Jo Marie St. Martin, Kim Proctor, Vic Klatt, and Kara Haas from the staff of the gentleman from Delaware (Mr. CASTLE). And from the minority I want to thank Alex Nock, Cheryl Johnson, Mark Zuckerman,

June Harris, Charles Barone, and Gail Weiss, among others. They worked day and night, and sometimes I do not think we realize what hours staffers put in to try to bring about an agreement. In this we were trying to bring about a bipartisan agreement.

Mr. SCHAFFER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I ask the body to consider favorably the amendment that is presently before us. In my opinion the amendment offered by the gentleman from Wisconsin (Mr. PETRI) is without a doubt the greatest opportunity we have and we have had today to convert this bill from not just a creation of a new set of mandates imposed on local schools, but to do something much better and turn it into a good bill, and that is to allow freedom and flexibility for families and children who are trapped in schools that do not earn their confidence.

As my colleagues know, to hear the argument against the Petri amendment one would think that all schools around the country are bad. I do not think that is the case at all. I think most schools are genuinely good and that they try very hard to create a learning environment that is in the best interests of the children that they serve. The Petri amendment acknowledges that and suggests that for those children who are trapped in terminally bad schools that they do have the opportunity to find a different academic setting, a better academic setting.

It begins to regard families and parents as the individuals who play the most paramount role, the most pivotal role in designing an academic strategy that is in the best interests of their children. The notion that government knows best is what is insinuated in this bill and in the Title I program; and we have before us right now an opportunity to appeal to the free market instincts of parents, of teachers, of students, treating teachers like real professionals, parents like customers and honor the freedom to teach and the liberty to learn that we all believe to be important.

□ 1415

I would ask this body to consider most seriously the opportunity that is before us with the Petri amendment. I thank the gentleman for offering it, and I commend him for his vision in trying to provide school choice and portability with these Title I dollars, because this is the only amendment we have had a chance to consider that measures fairness in education by the relationship between students, not the relationship between school buildings or school districts or other political entities.

I ask for the adoption of the amendment.

The CHAIRMAN pro tempore (Mr. SHIMKUS). The question is on the amendment offered by the gentleman from Wisconsin (Mr. PETRI).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Mr. PETRI. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 336, further proceedings on the amendment offered by the gentleman from Wisconsin (Mr. PETRI) will be postponed.

AMENDMENT NO. 40 OFFERED BY MR. EHLERS

Mr. EHLERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 40 offered by Mr. EHLERS:

In section 1111(b)(1)(C) of the Elementary and Secondary Education Act of 1965, as amended by section 105 of the bill, strike ''mathematics and reading or language arts,'' and insert ''mathematics, reading or language arts, and science,''.

In section 1111(b)(4) of the Elementary and Secondary Education Act of 1965, as amended by section 105 of the bill, strike ''mathematics and reading or language arts,'' and insert ''mathematics, reading or language arts, and science,''.

In section 1111(h)(2)(A)(i) of the Elementary and Secondary Education Act of 1965, as amended by section 105 of the bill, strike ''reading or language arts and mathematics,'' and insert ''mathematics, reading or language arts, and science,''.

At the end of section 105 of the bill—

(1) strike the quotation marks and the final period; and

(2) insert the following:

''(i) SPECIAL RULE ON SCIENCE STANDARDS AND ASSESSMENTS.—Notwithstanding subsections (b) and (h), no State shall be required to meet the requirements under this title relating to science standards or assessments until the beginning of the 2005–2006 school year.''.

Mr. EHLERS. Mr. Chairman, I want to point out some basic facts about science in the United States. First of all, more than one-half of all economic growth in this Nation is tied to recent developments from science and technology. That is, over one-half of our economic growth is dependent on science and technology.

Our Nation's economic future and our economic strength are directly linked to the science aptitude of our work force. Unfortunately, our science aptitude is not good. You are aware that, on an international scale developed through international assessments, the United States came out near the bottom; and, in fact, in physics it was at the bottom of the 15 developed countries participating in the evaluation. With that type of record, it is very hard for us to keep our economy going. Science education must start early to prepare students for the demands of tomorrow's jobs. But currently, schools are not teaching science in many cases, and they are not teaching it well in other cases. There are, of course, exceptions. Some schools do exceptionally well. But, across the country, our science and math education is deficient and as a result, our students are falling behind other countries. Perhaps one indication of that is that in today's graduate schools in science and engineering, over one-half of all of the graduate students are from other countries.

It is clear that has to change, and the best place to have it change is in early education.

My amendment is a simple amendment. It will not place much demand on the educational system, but it simply will require that by the 2005–2006 school year that science will be placed alongside of reading and math as essential subjects to be assessed in each school. In other words, this will give parents an opportunity to determine how well their schools are teaching science and how well their students are learning science, the science they must have if they are to be employable and to contribute to the economic growth of our Nation.

I believe this is a good amendment which will help solve a major national problem. There is very little expense, if any, attached to it. It simply will make clear the need for increased teaching of science in elementary and secondary schools, and will give us an opportunity to assess how well the schools are doing in meeting that need. I urge adoption of this amendment.

Mr. GOODLING. Mr. Chairman, I move to strike the last word.

The goal is noble. The cost we do not know. According to governors it would be exorbitant. We have the cost at the present time for the math and the reading and we do not know the cost in relationship to science. Therefore, I have to oppose the amendment.

Mr. HOLT. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. HOLT. Mr. Chairman, I rise in support of the amendment to include science in the bill.

I rise in support of H.R. 2 which provides educational support for low-income students.

Let me first say that I commend the bipartisan effort that has gone into making this a strong bill. As a teacher and a scientist, it is refreshing for me to see Members put their partisan differences aside to work on a bill that will help all our children.

Every child in this nation has the right to receive an excellent education. Furthermore, it is necessary for the well being of society at large for all children to receive an excellent education.

The accountability provisions for the funds provided in this bill are critical to the success of ensuring a quality education for all.

This bill requires that judgments about school progress be based on disaggregated data. That is, all at-risk subgroups of students must be making adequate yearly progress toward proficiency in reading and math.

I rise in support of Mr. PETRI's amendment to include science among the subjects in which student progress and proficiency are measured.

Science education has been established as a national priority.

This Congress has supported that priority by maintaining and strengthening teacher training

in math and science in the teacher bill we passed in July.

National efforts to improve science and math education are resulting in exciting new teaching methods. These hands-on methods allow students to conduct experiments and learn to question and discover for themselves.

Science classes are gateways for our children to the opportunities of tomorrow.

But we need to do more. The Third International Math and Science Study (TIMSS) results showed that U.S. 12th graders are lagging below the international average in science and math.

Previous Congresses have encouraged states to establish standards for what our children should be learning in science. Forty states have standards for our children in science. But only 26 are actually testing to find out if the students are learning according to these standards.

Mr. PETRI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, would the author of the amendment answer a question?

Mr. EHLERS. Mr. Chairman, I will be happy to.

Mr. PETRI. Mr. Chairman, what is the gentleman's response to the argument that some have made that this is one more mandate, and we are attempting to give more flexibility to the States, mandate that there be science education in addition to I guess we do mandate reading and math.

Mr. EHLERS. Mr. Chairman, I appreciate the question; and I also appreciate the support from the gentleman from New Jersey (Mr. HOLT) and other Members of the body who have indicated their support. Because of the shortness of time, not everyone will be able to speak.

There is a question as to whether or not this is another mandate. I do not believe it is so, because this is a matter of assessment. The schools are ready, the teachers are ready. This is simply saying this is an important national priority and one of the subjects that we should teach and which our school systems should assess is the knowledge that students have acquired in the scientific arena so that we know whether or not we will have an adequate work force for the future, and so that we will have an adequate number of scientists and engineers as well.

So it addresses both the issue of workers in the workplace, and training for scientists. We simply need more technological workers. And then secondly, that we will have the researchers necessary to do the research work that will be necessary. In my own State, they are still evaluating this amendment. The Governor is not opposing it, but I know he is concerned about it. A few other States have indicated a concern, and that is why we added the language that this does not take effect until 2005–2006.

PARLIAMENTARY INQUIRY

Mr. OWENS. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. OWENS. Mr. Chairman, what amendment are we on?

The CHAIRMAN pro tempore. Amendment No. 40 by Mr. EHLERS is pending.

Mr. OWENS. Did we vote on that already?

The CHAIRMAN pro tempore. The Committee has not voted on that yet. Members are still speaking in support or in opposition to that amendment.

Mr. OWENS. I am sorry. I thought we had voted on it.

Mr. EHLERS. Mr. Chairman, just to wrap up, we do not have this take effect until 2005–2006, which is actually after this bill expires. It is basically setting the groundwork for the next bill. It will be in effect the final year only if we do as we normally do, and reauthorize the bill for an additional year. But it sets the pattern for the future and gives the schools more than adequate time to prepare.

Mr. PETRI. Mr. Chairman, reclaiming my time, I thank the gentleman for his response. This would, in fact, not be a mandate in the sense that its effective date is after the expiration date of this particular reauthorization bill, but this is a signal to State and local school districts that we feel science education is important and to prepare young people for the changing world of work and to be productive Members of our society and to be a competitive society, we must emphasize science education.

Mr. EHLERS. Mr. Chairman, if the gentleman will yield further, I thank the gentleman for stating that very well. There is no additional cost involved for the States.

Mr. PETRI. I thank the gentleman.

Mr. CASTLE. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN pro tempore. The gentleman from Delaware (Mr. CASTLE) is recognized until 2:25 p.m.

Mr. CASTLE. Mr. Chairman, I rise on this amendment because I am somewhat uncertain as to whether we should go forward with it or not. Perhaps the chairman can help me with some of this.

Let me just say a couple of things up front. I am a total believer that in the United States of America today that we do have a problem in terms of lack of basic knowledge in the area of science, I am talking about people like me and others who were mediocre science students and not just the people of the stature of the gentleman from Michigan (Mr. EHLERS) who are among the eminent scientists in America today. I think we should all have a greater and broader knowledge than we do.

In my heart, my feeling is that something like this is a good idea, developing science and math which are somewhat related in many instances which is something we need to do, particularly when compared to other countries.

So for all of those reasons, I have a lot of sympathy for what we are dealing with here, and that is why we have supported initiatives under the Teacher Empowerment Act which the gentleman from California (Mr. MCKEON) sponsored which highlights the need for the natural focus in the area of science and particularly having teachers who are prepared to teach, which is a major problem in both science and math. We have too many people teaching those subjects who really are unprepared.

Ms. WOOLSEY. Mr. Chairman, I rise in strong support of my colleague, Mr. EHLERS', amendment to add science as one of the subjects that will require State standards and assessments.

I am fortunate to serve with Congressman EHLERS on both the education and the science committees, so I know, first-hand, how committed he is to improving science education in this country.

And it needs improvement! There's a good reason why the test scores of American students ranked No. 16 out of students in 21 countries on a recent international science examination.

There is also a good reason why, just last week, Senator ROBB introduced a bill in the other body to create a new category of visas for foreign nationals with graduate degrees in high technology fields.

International graduate students would be eligible for the new ''T-visas'' if they had skills in science and technology and a job offer with an annual compensation of at least $60,000.

What's wrong with this picture? It doesn't take a rocket scientist to figure it out!

We must—we must, must, must—do more to ensure that more U.S. students pursue the kinds of studies they need to have a high-tech, high-paying career.

According to the American Electronics Association, the American high-tech industry has created one million new jobs since 1993. At the same time, the number of degrees awarded in computer science, engineering, mathematics and physics have declined since 1990.

And, of the degrees awarded in these fields, a large percentage are going to foreign nationals; 32 percent of all master's degrees and 45 percent of all doctoral degrees currently go to foreign students.

Without doubt, one of the reasons for this decline is that too many American students are not studying science in the early grades. This is particularly true of girls and minorities, who are more than half of our student population.

It is predicted that by the year 2010, 65 percent of all jobs will require at least some technology skills. We need to make science education a national priority. That's what the Ehlers amendment will do, and I urge my colleagues to vote for it.

Mrs. MORELLA. Mr. Chairman, I rise in support of the amendment to include science as one of the subjects for which states would be required to develop standards and assessments. I congratulate my colleague, Mr. EHLERS, for bring this important issue to the attention of the whole House.

In the largest international study ever undertaken of student performance in math and science, the math and science skills of children from the United States lagged far behind students in other countries. The results of this study . . . called third International Mathematics and Science Study (TIMSS) . . . are

clear: As we prepare to enter the new millennium engaged in a competitive global economic marketplace, we have a severe crisis facing our children's ability to be fully prepared for the future.

American students don't deserve to be at the bottom when compared to their counter parts in other countries. We have the opportunity to encourage American students to rise to the top, where they belong. I believe that we must ensure that the teaching of mathematics at all educational levels in the United States is strengthened and that our children are adequately prepared to compete for jobs with their global peers.

Education has been my personal priority. I am the parent of 9 children and 16 grandchildren. I want to make sure that my grandchildren can understand science and math. I want them to be taught by teachers who are enthusiastic about teaching and have been given professional training, who are dedicated and recognized for their commitment and innovation.

If we are to stay on top as a nation, we must continue to promote activities that will ensure economic vitality and enhanced opportunities for all Americans.

I urge a ''yes'' vote on the Ehlers amendment.

The CHAIRMAN pro tempore. Pursuant to the rule, consideration of further amendments must now cease.

The question is on the amendment offered by the gentleman from Michigan (Mr. EHLERS).

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

Mr. GOODLING. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 336, further proceedings on the amendment offered by the gentleman from Michigan (Mr. EHLERS) will be postponed.

PARLIAMENTARY INQUIRY

Mr. HINOJOSA. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. HINOJOSA. Mr. Chairman, would it be in order to ask for unanimous consent to speak for 1 minute?

The CHAIRMAN pro tempore. At this point unanimous consent requests for additional debate time cannot be granted in the Committee of the Whole. Those requests can only be offered in the whole House.

Mr. HINOJOSA. Mr. Chairman, just to enter a very short statement in the RECORD; it will take me 15 seconds.

The CHAIRMAN pro tempore. Under the special order adopted by the House at this point the gentleman must do that in the House, not in the Committee of the Whole, since all time for consideration has expired.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 336, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 38 offered by the gentleman from New Jersey (Mr. PAYNE); Amendment No. 43 offered by the gentleman from Indiana (Mr. ROEMER); Amendment No. 42 offered by the gentleman from Wisconsin (Mr. PETRI); and Amendment No. 40 offered by the gentleman from Michigan (Mr. EHLERS).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 38 OFFERED BY MR. PAYNE

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on Amendment No. 38 offered by the gentleman from New Jersey (Mr. PAYNE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 208, noes 215, not voting 10, as follows:

[Roll No. 522]

AYES—208

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Jackson (IL)
John
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
LaHood
Lampson
Lantos
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tauscher
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOES—215

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
Largent
Latham
LaTourette
Lazio
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Toomey
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Camp
Jackson-Lee (TX)
Jefferson
Larson
McCarthy (MO)
McCarthy (NY)
McInnis
Scarborough
Udall (CO)
Vitter

□ 1451

Messrs. FRANKS of New Jersey, LOBIONDO, BATEMAN, GANSKE, ENGLISH, EWING, and RAMSTED

changed their vote from ''aye'' to ''no''.

Messrs. SPRATT, LAMPSON, and HOEFFEL changed their vote from ''no'' to ''aye''.

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. LARSON. Mr. Chairman, on rollcall No. 522, had I been present, I would have voted ''yes.''

Stated against:

Mrs. MYRICK. Mr. Chairman, on rollcall No. 522, I inadvertently, pressed the ''aye'' button. I meant to vote ''nay.''

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. SHIMKUS). Pursuant to House Resolution 336, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 43 OFFERED BY MR. ROEMER

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment 43 offered by the gentleman from Indiana (Mr. ROEMER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 181, not voting 9, as follows:

[Roll No. 523]

AYES—243

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (NJ)
Frost
Gallegly
Gejdenson
Gephardt
Gibbons
Gilman
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Inslee
Jackson (IL)
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Sherwood
Shows
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Wilson
Wise
Woolsey
Wu
Wynn

NOES—181

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Biggert
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Everett
Ewing
Fletcher
Fowler
Frelinghuysen
Ganske
Gekas
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
Kingston
Knollenberg
Kolbe
Largent
Latham
LaTourette
Lazio
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lucas (OK)
Manzullo
McCollum
McCrery
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Radanovich
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—9

Camp
Jackson-Lee (TX)
Jefferson
McCarthy (MO)
McCarthy (NY)
McInnis
Scarborough
Udall (CO)
Vitter

Mr. NEY and Mr. GALLEGLY changed their vote from ''no'' to ''aye''.

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 42 OFFERED BY MR. PETRI

The CHAIRMAN pro tempore (Mr. SHIMKUS). The pending business is the demand for a recorded vote on amendment No. 42 offered by the gentleman from Wisconsin (Mr. PETRI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 153, noes 271, not voting 9, as follows:

[Roll No. 524]

AYES—153

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Bilirakis
Bliley
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cook
Cox
Crane
Cubin
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Everett
Fletcher
Fossella
Fowler
Franks (NJ)
Gibbons
Goss
Graham
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hoekstra
Horn
Hunter
Hyde
Isakson
Istook
Johnson, Sam
Jones (NC)
Kasich
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
Largent
Lewis (KY)
Linder
Lipinski
Lucas (OK)
Manzullo
McCollum
McCrery
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Myrick
Northup
Norwood
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pryce (OH)
Radanovich
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Skeen
Smith (MI)

Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Talent
Tancredo
Tauzin
Taylor (NC)
Thomas
Tiahrt
Toomey
Vitter
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Young (AK)
Young (FL)

NOES—271

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilbray
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Emerson
Engel
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Inslee
Jackson (IL)
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pombo
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Sherman
Shows
Simpson
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Weygand
Wilson
Wise
Wolf
Woolsey
Wu
Wynn

NOT VOTING—9

Camp
Jackson-Lee (TX)
Jefferson
Jenkins
McCarthy (MO)
McCarthy (NY)
McInnis
Scarborough
Udall (CO)

□ 1509

Ms. PRYCE of Ohio changed her vote from ''no'' to ''aye.''

Mr. RUSH and Mr. LATHAM changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 40 OFFERED BY MR. EHLERS

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 40 offered by the gentleman from Michigan (Mr. EHLERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 360, noes 62, not voting 11, as follows:

[Roll No. 525]

AYES—360

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burton
Buyer
Callahan
Calvert
Cannon
Capps
Capuano
Cardin
Carson
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cramer
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hayworth
Hefley
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Inslee
Istook
Jackson (IL)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCollum
McCrery
McDermott
McGovern
McHugh
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun (KS)
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thurman
Tierney
Towns
Traficant
Turner
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—62

Armey
Barr
Blunt
Burr
Campbell
Canady
Castle
Chenoweth-Hage
Coble
Coburn
Collins
Cox
Coyne
Crane
DeLay
DeMint
Doolittle
Dreier
Ehrlich
Ewing
Fossella
Frank (MA)
Gekas
Goodling
Green (WI)
Greenwood
Hastings (WA)
Hayes
Herger
Hoekstra
Hutchinson
Hyde
Isakson
Johnson, Sam
Jones (NC)
Kasich
King (NY)
LaHood
Largent
Manzullo
Meeks (NY)
Miller (FL)
Myrick
Paul
Pombo
Rohrabacher
Royce
Sabo
Sanford
Schaffer
Shadegg
Simpson
Souder
Stump
Sununu
Talent
Thune
Tiahrt
Toomey
Walden
Whitfield
Young (AK)

NOT VOTING—11

Bateman
Camp
Hoyer
Jackson-Lee (TX)

Jefferson McInnis Udall (CO)
McCarthy (MO) Ryan (WI)
McCarthy (NY) Scarborough

□ 1517

Mr. RAHALL changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. BATEMAN. Mr. Chairman, on rollcall No. 525, I was unavoidably detained. Had I been present, I would have voted ''aye.''

Stated against:

Mr. RYAN of Wisconsin. Mr. Chairman, on rollcall No. 525, I was unavoidably detained. Had I been presdent, I would have voted ''no.''

The CHAIRMAN pro tempore (Mr. SHIMKUS). The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

Ms. ROYBAL-ALLARD. Mr. Chairman, as chair of the Congressional Hispanic Caucus, I rise in opposition to H.R. 2. I oppose this bill due to strong reservations concerning the Bilingual Education Act and parental notification component of the bill.

I know my Democratic colleagues on the committee, Ranking Member CLAY and Representatives KILDEE, HINOJOSA, and MARTINEZ and staff have fought hard for acceptable and fair language in the reauthorization of the Bilingual Education Act. However, in the end, what the Republicans offered in the final negotiations fails to fully protect bilingual education programs.

For example, instead of making bilingual education programs stronger, Republicans are simply interested in block granting the program. Those of us who support bilingual education want to bring more accountability to the program and help students meet high state standards. Diluting the funds through block grants will do little to help LEP students achieve high standards.

Bilingual education is important to our students and our nation. We must promote bilingual education so that our students can learn English, while retaining their native language, in order to excel academically. We must help our limited English proficient children develop the talents and the skills they need to compete in today's highly technical and competitive global economy.

Multilingualism is something we should be proud of. Our LEP children bring invaluable language resources and knowledge to our society. Bilingual education promotes our students' native language skills.

Another significant problem with H.R. 2 was the parental notification and consent requirement for LEP students. In order for LEP students to receive services under Title I, schools would have to seek permission from the parents of these students. No other group of students is asked to get permission from their parents to receive services under Title I, only LEP students. This is wrong, discriminatory and has no place in an education bill.

Many of my colleagues will support this bill, in the hopes that it will be improved as it moves through the process, knowing that when the bill comes back from conference they will have the option to vote against it. However, as chair of the Hispanic Caucus, I feel it is important for me to vote against this bill as a signal that the Caucus, regardless of their vote on the overall bill, feels strongly that much more work needs to be done.

It is unfortunate that this signal must be sent because the reauthorization of Title I is critical to the Hispanic community.

Title I funds serve a rapidly expanding number of low-income and limited English proficient students, for example, nearly 32 percent of Title I students are Hispanic.

In addition, H.R. 2 holds our schools accountable by mandating that Title I schools ensure all students meet high standards.

H.R. 2 also requires that States and schools provide report cards so that parents have the basic facts about the progress their children are making in their education so they can take action to improve their schools' curriculum, if needed.

Also, H.R. 2 raises the standards for paraprofessionals in the classroom. Paraprofessionals are supervised teacher's aides who provide critical assistance for our kids in the classroom. However, in many of our schools it is the teacher's aide and not the teacher who is doing the instruction. This bill would encourage paraprofessionals to enroll in a career track program to better assist teachers with instructional support in the classroom.

These are just a few examples of the good that is in this bill and why so many of my colleagues will support the movement of this bill to the Senate. But with their vote also comes the commitment of the CHC members to work diligently to make the final version of the bill closely mirror the CHC language on bilingual education. The future of many of our children depends on it. Therefore, it is my hope that the Republican leadership will work with us to achieve this goal.

Mr. COSTELLO. Mr. Chairman, I rise today in strong support of H.R. 2, the Student Results Act. I am encouraged by the bipartisan nature of this education bill which was crafted on an unbiased basis following the appropriate committee process.

Mr. Chairman, I am pleased to see that Title I funds will receive a $1 billion increase over last year's appropriation level bringing the authorization level to $8.35 billion in fiscal year 2000. By providing this commitment to our educationally disadvantaged students, the success we will see in our Nation's school children will be immeasurable.

This bill will require schools to meet challenging Title I standards and hold schools accountable for the results of their Title I programs by requiring an annual report to parents and the public on the academic performance of schools receiving Title I funds. In addition, this legislation strengthens the requirement for teachers' aides by requiring 2 years of higher education, an associate's degree or meet rigorous standards assessing their math, reading and writing skills.

Mr. Chairman, I am pleased the bill allows states to set aside 30 percent of any increase in Title I funds to reward schools and teachers that substantially close the gap between the lowest and highest performing students that have made outstanding yearly progress for 2 consecutive years. In my own Congressional District in Southwestern Illinois there is a school that will benefit tremendously from this award system. Belleville School District 118 has been lauded as one of the best Title I programs in the State. In fact, the Illinois State Board of Education called upon Belleville 118's Title I director, Tom Mentzer, to give presentations to other school districts on how to reach the level of success that District 118 has had with their Title I program. Yet, this year Bellenille School District 118 was forced to reduce their Title I teaching staff. Due to no increase in Title I funds for this school year, and not being eligible for additional Title I related grants such as Comprehensive School Reform Initiative (CSRI) based on high test scores, there are schools in 118 that received Title I funding last year that will not be serviced by Title I funding this year. What a difference Title I funds may have made in an educationally disadvantaged student's life had they had additional funds to provide Title I remedial reading initiatives. By putting this provision in the bill we will no longer economically punish schools that have excelled in achieving the goals set out for them by Title I.

I urge my colleagues to support this legislation that helps at-risk students stay in school. Vote for this bipartisan education bill that will benefit thousands of students in each of our congressional districts.

Mr. UNDERWOOD. Mr. Chairman, I'm speaking today in support of H.R. 2: The Students Results Act of 1999, which authorizes Title I Federal Elementary and Secondary Education Programs for five years, although I have some serious concerns regarding this proposal.

While I applaud the efforts of our Democratic committee members who fought tooth and nail to ensure that funding remains targeted at the most disadvantaged and poorest students, I fear that the poor and disadvantaged will be left in the cold again. This is due to Republican demands disguised to provide greater flexibility in using federal money and require more information on results. This so-called flexibility comes at a high price.

This proposed legislation would, in fact: dilute services to schools that are the most needy by allowing diversion of up to 30 percent of all new title I money to reward schools that improve student achievement; and lower the poverty threshold for school-wide programs.

While I support rewarding schools for achieving success, I believe that it should not come out of the existing Title I pot of funding. As it stands already, we are stretched to provide service to all Title I eligible children. The Congressional Research Service estimates that serving all Title I eligible children would require $24 billion, that's nearly 3 times the current funding level. Therefore, instead of taking money out of the same pot, we should find other avenues to reward successful school programs.

Another proposal in the Title I provision to lower the poverty threshold from the current 50 percent poverty limit to 40 percent for schoolwide programs would only further water down funding.

We should strive not only for greater fiscal accountability within our programs, we should ensure that we provide sound program accountability to our poor and disadvantaged children.

Some serious concerns have also been raised by members with the provision to require parental consent for students with limited English proficiency in Title I. I am deeply concerned that the parental consent requirement may impede a child's ability to gain meaningful

instruction while waiting to be placed in a Limited English Proficiency (LEP) program. First and foremost, our primary concern for this measure is to ensure that the best needs of students are being served. So, that important instructional support to LEP children are not delayed.

Finally, I urge members to strongly consider the reauthorization of the Bilingual Education Act (BEA). The BEA serves as one of the most meaningful tools a teacher can use to provide meaningful academic instruction to students. However, I believe that the BEA must allow schools the flexibility to choose instructional methods that are best suited for their students.

Mr. PAUL. Mr. Chairman, Congress is once again preparing to exceed its constitutional limits as well as ignore the true lesson of the last thirty years of education failure by reauthorizing Title I of the Elementary and Secondary Education Act (SEA). Like most federal programs, Title I was launched with the best of intentions, however, good intentions are no excuse for Congress to exceed its constitutional limitations by depriving parents, local communities and states of their rightful authority over education. The tenth amendment does not contain an exception for ''good intentions!''

The Congress that created Title I promised the American public that, in exchange for giving up control over their schools and submitting to increased levels of taxation, federally-empowered ''experts'' would create an educational utopia. However, rather than ushering in a new golden age of education, increased federal involvement in education has, not coincidently, coincided with a decline in American public education. In 1963, when federal spending on education was less than nine hundred thousand dollars, the average Scholastic Achievement Test (SAT) score was approximately 980. Thirty years later, when federal education spending ballooned to 19 billion dollars, the average SAT score had fallen to 902. Furthermore, according to the National Assessment of Educational Progress (NAEP) 1992 Survey, only 37% of America's 12th graders were actually able to read at a 12th grade level!

Supporters of a constitutional education policy should be heartened that Congress has finally recognized that simply throwing federal taxpayer money at local schools will not improve education. However, too many in Congress continue to cling to the belief that the ''right federal program'' conceived by enlightened members and staffers will lead to educational nirvana. In fact, a cursory review of this legislation reveals at least five new mandates imposed on the states by this bill; this bill also increases federal expenditures by $27.7 billion over the next five years—yet the drafters of this legislation somehow manage to claim with a straight face that this bill promotes local control!

One mandate requires states to give priority to K–6 education programs in allocating their Title I dollars. At first glance this may seem reasonable, however, many school districts may need to devote an equal, or greater, amount of resources to high school education. In fact, the principal of a rural school in my district has expressed concern that they may have to stop offering programs that use Title I funds if this provision becomes law! What makes DC-based politicians and bureaucrats better judges of the needs of this small East Texas school district than that school's principal?

Another mandate requires teacher aides to be ''fully qualified'' if the aides are to be involved in instructing students. Again, while this may appear to be simply a matter of following sound practice, the cost of hiring qualified teaching assistants will add a great burden to many small and rural school districts. Many of these districts may have to go without teachers aides, placing another burden on our already overworked public school teachers.

Some may claim that this bill does not contain ''mandates'' as no state must accept federal funds. However, since obeying federal educrats is the only way states and localities can retrieve any of the education funds unjustly taken from their citizens by oppressive taxation, it is the rare state that will not submit to federal specifications.

One of the mantras of those who promote marginal reforms of federal education programs is the need to ''hold schools accountable for their use of federal funds.'' This is the justification for requiring Title I schools to produce ''report cards'' listing various indicators of school performance. Of course, no one would argue against holding schools should be accountable, but accountable to whom? The Federal Government? Simply requiring schools to provide information about the schools, without giving parents the opportunity to directly control their child's education does not hold schools accountable to parents. As long as education dollars remain in the hands of bureaucrats not parents, schools will remain accountable to bureaucrats instead of parents.

Furthermore, maximum decentralization is the key to increasing education quality. This is because decentralized systems are controlled by those who know the unique needs of an individual child, whereas centralized systems are controlled by bureaucrats who impose a ''one-size fits all'' model. The model favored by bureaucrats can never meet the special needs of individual children in the local community because the bureaucrats have no way of knowing those particular needs. Small wonder that students in states with decentralized education score 10 percentage points higher on the NAEP tests in math and reading than students in states with centralized education.

Fortunately there is an alternative educational policy to the one before us today that respects the Constitution and improves education by restoring true accountability to America's education system. Returning real control to the American people by returning direct control of the education dollars to America's parents and concerned citizens is the only proper solution. This is precisely why I have introduced the Family Education Freedom Act (HR 935). The Family Education Freedom Act provides parents with a $3,000 per child tax credit for the K–12 education expenses. I have also introduced the Education Tax Credit Act (HR 936), which provides a $3,000 tax credit for cash contributions to scholarships as well as any cash and in-kind contribution to public, private, or religious schools.

By placing control of education funding directly into the hands of parents and concerned citizens, my bills restore true accountability to education. When parents control education funding, schools must respond to the parents' desire for a quality education, otherwise the parent will seek other educational options for their child.

Instead of fighting over what type of federal intervention is best for education, Congress should honor their constitutional oath and give complete control over America's educational system to the states and people. Therefore, Congress should reject this legislation and instead work to restore true accountability to America's parents by defunding the education bureaucracy and returning control of the education dollar to America's parents.

Mr. WU. Mr. Chairman, I rise today in support of the Crowley/Etheridge/Wu amendment.

Our sense-of-the-Congress amendment recognizes the fact that certain communities across the country are facing growing student populations. It shows our schools that Congress is aware of the problems of overcrowding and the need for financial support from Federal, State, and local agencies to assist these school districts.

All across this country, more and more students are entering schools. According to the Baby Boom Echo Report issued by the Department of Education, 52.7 million students are enrolled in both public and private schools. A new national enrollment record.

Schools are literally bursting at their seams with overcrowded classrooms. As I travel throughout my District, I see this first-hand. At Findley Elementary School in Beaverton, Oregon, students have outgrown a 5-year-old school and are now being taught in trailers.

In Washington County, one of the fastest growing counties in the nation, students are being taught in overcrowded classrooms. A report that I had commissioned showed that only 4 percent of K–3 students in Washington County were taught in classes of 18 or fewer students. In addition, approximately two out of every five Washington county K–3 students were taught in classes that significantly exceeded federal class size objectives.

Studies show that when you reduce class size in the early grades, and give students the attention they deserve, the learning gains last a lifetime.

Last year, Congress made a down payment on the administration's plan to hire 100,000 new teachers over a period of 7 years in order to reduce average class size to eighteen students in grades one through three. But that was only a down payment. We are now in the process of determining if we will keep our promise, and continue to fund the program.

Until we finalize the Labor, HHS, and Education Appropriations bill, we need to send a message to our schools that we are aware of the problems of overcrowding and will work to fix it.

Support the Crowley/Etheridge/Wu amendment. Show your schools that you care.

Mr. PACKARD. Mr. Chairman, I would like to encourage my colleagues to support H.R. 2, the Student Results Act of 1999. Educating America's youth is essential to the future of our nation. This legislation focuses on improving accountability and quality in our education system. The Student Results Act gives parents more control over key decisions for their children's education, including school choice, and academic accountability.

Education decisions belong at the local level, where parents and educators can be involved. H.R. 2 achieves this by authorizing greater local control and more choice for parents. It also provides aid to state and local educational agencies to help educationally disadvantaged children achieve the same high performance standards as every other student.

Mr. Chairman, everyone should support improvements to our education system that will raise the standard of excellence in learning and give every child in America the opportunity to learn at his or her maximum potential. I urge my colleagues to support the Students Results Act today.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PEASE) having assumed the chair, Mr. SHIMKUS, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2) to send more dollars to the classroom and for certain other purposes, pursuant to House Resolution 366, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. HINOJOSA

Mr. HINOJOSA. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HINOJOSA. I am, Mr. Speaker, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HINOJOSA moves to recommit the bill H.R. 2 to the Committee on Education and the Workforce with instructions to conduct hearings and promptly report to the House on title VII regarding the effectiveness of bilingual education and migrant education.

The SPEAKER pro tempore. The gentleman from Texas (Mr. HINOJOSA) is recognized for 5 minutes on his motion to recommit.

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

Mr. HINOJOSA. Mr. Speaker, I planned today to offer three amendments, Nos. 25, 26, and 27, bilingual education and migrant education issues that are very important to me and my district, in fact to many people throughout the country. I did not do so.

However, the Congressional Hispanic Caucus has grave concerns about bilingual education and migrant education in the manager's House bill.

In closing, Mr. Speaker, I wish we could have made more progress on these issues in the Committee on Education and the Workforce. In fact, I wish we could have marked up Title VII in the Committee on Education and the Workforce.

However, I am hopeful that eventually the House and the Senate conferees will work to resolve differences between their respective versions of ESEA and implement these provisions.

I am going to vote for final passage for H.R. 2. But, as I said, I want to reiterate so that everyone here understands that the Congressional Hispanic Caucus is speaking for over 3½ million children and we are concerned that many of the provisions that were in our bill were not included in H.R. 2.

The concerns of the Hispanic Caucus are very important and need to be addressed in the next steps of the process.

Mr. Speaker, what are we doing here today? Are we fighting for the rights of our disadvantaged children to have a solid education—or—are we relegating them to a second-rate education?

Under this manager's amendment, the plate is full for some students, but empty for too many others. I don't believe anyone in this body can, in good conscience, support this manager's amendment to Title VII.

I have some very specific concerns with this ill-conceived manager's amendment that I'd like to share with you. But before I proceed, I first want to say ''Thank you!'' To my ranking members—Congressmen BILL CLAY and DALE KILDEE. Both men and their staffs valiantly attempted to negotiate a compromise that we could all support.

Unfortunately, despite their best efforts, that was not to be.

Again, thank you for your assistance.

Now, Mr. Chairman I'd like to discuss, point by point, my concerns with the manager's amendment as I also highlight the Hispanic caucus' substitute amendment to Title VII.

Concern No. one: Turning Title VII into a state formula grant. In Turning Title VII into a State formula grant, we are assured that fewer fiscal resources (which will depend on a funding trigger), will be available to educate limited English proficient children.

Currently, less than 10 percent of all children eligible for bilingual classes are being served by this title. This is shameful.

Of the 3½ million limited English proficient children in our country—and this figure is growing—only 10 percent are currently receiving Title VII services.

Title VII is the only Federal program designed for children whose native language is not English, but who will soon become English proficient given the proper professional guidance and instruction.

Mr. Speaker, with such a large projected growth in the future, we should be increasing funds and resources for this population, not trying to shirk our federal responsibility of ensuring that they receive the best education possible.

The current competitive grant structure of Title VII assures us that local schools have made a commitment to provide high quality programs for our children. These local grant applications are peer-reviewed and monitored by the U.S. Department of Education.

We think it is doubtful that local schools would maintain their commitment to educating L–E–P children if they were automatically assured of formula funding.

What very well may result is that programs with so little funding will also provide precious little to disadvantaged students.

Concern No. 2 accountability for learning. Mr. Speaker, we want ot make sure that limited English proficient children are assessed in the most scientifically based manner, and the managers amendment does not provide that flexibility.

The Hispanic caucus bill requires annual assessments in academic content areas, whereas the manager's bill merely stresses ''English language acquisition'' at the expense of content.

Concern No. 3: Parental involvement. The Hispanic caucus deeply regrets that the manager's amendment does not thoroughly involve the parents of limited English proficient children.

This is counter to all modern research. The Hispanic caucus bill calls for assuring that parents participate and accept responsibility for the education of their children.

The manager's idea of parental involvement is parental consent not to participate in bilingual programs.

Don't get me wrong—the caucus does not oppose parental consent as long as it improves the program. However, the manager's amendment actually prevents children from participating and receiving an equal educational opportunity.

The manager's amendment would also increase the paperwork burdens of our local schools.

And there's no assurance that limited English proficient students will receive appropriate educational services.

It is immoral to warehouse children without providing timely educational opportunities—it's wrong and it's discriminatory, and the Hispanic caucus is soundly against this proposition.

Concern No. 4: Professional development. Let me once again point out the deficiencies in the manager's amendment.

For the first time, the manager has merged four separate categories (career ladder, teachers and personnel, training for all teachers and graduate fellowships)—into one grant program. They would also reduce funds for some of these programs.

Let me highlight the four programs in professional development:

1. Career ladder—All of us are aware of the tremendous problems of teacher shortages for limited English proficient children. Career ladder programs are extremely important in shortening the time that capable teachers and assistants may participate in the classrooms. It is also an incentive for young adults to seek careers teaching limited English proficient children.

2. Teachers and personnel—Most of this section is commendable, but the participation of pupil services personnel is not assured. The manager's amendment focuses funds on teachers, while ignoring their professional peers who provide counseling and important support services which is vital to the academic success of our kids in the classroom.

3. Teacher training—The manager's amendment limits the opportunity for preservice and inservice training for instructional personnel. It is crucial that each teacher be aware of the latest research and instructional technology available to help them with limited English proficient children. Not only are local resources

curtailed, but the national professional institutes may not be able to provide the necessary training to improve the quality of professional development programs. Again, this will cripple the teacher pipeline.

4. Graduate fellowships—The managers's amendment caps funding for fellowships for masters, doctoral and postdoctoral study related to the instruction of limited English proficient children. We need professional teacher training program administration, research and evaluation and curriculum development and the support of dissertation research related to such studies. No other profession abolishes newly trained professionals, yet this request is being made by the manager's amendment.

Concern No. 5: The fate of the national bilingual education clearinghouse. The national bilingual education clearinghouse provides the latest research and instructional methodology for the use of public schools, colleges and universities throughout the United States.

The manager's amendment would eliminate thirty-plus years of research as well as a national system-wide network by suggesting that these functions be taken over by the office of education research and improvement, without any specific assurances.

This is counter to all calls for accountability where we want education and teacher training programs to use the latest education research and technology to improve classroom instruction.

Mr. Speaker, my last concern is that the manager's amendment has eliminated the Emergency Immigrant Education Act. This act is extremely important to state governors, national school boards, local school boards, principals and teachers. The emergency immigrant act has been approved the last three times we have reauthorized ESEA.

While the funds are not meeting the tremendous need for educating newly-arriving immigrants, these funds remain crucial for the initial success of these students while they learn the American system of education.

I urge all my colleagues to consider the support that you will provide to local school systems that are impacted by these children.

The Congressional Hispanic caucus amendment continues to provide equal educational opportunities for limited English proficient children, youth and adults.

This federal effort started in 1968 and thousands of children have benefitted, although millions more could have used these services.

Our children are our future, and knowledge is the ticket. I urge all my colleagues to support the Congressional Hispanic caucus substitute on title VII, listed as the Hinojosa amendment No. 25, that reauthorizes bilingual education.

Mr. Speaker, the purpose of my amendment No. 26 was to establish a national parent advisory council for migrant parents at the federal level.

I just want to toss out an interesting fact, and that is my congressional district in South Texas, along the Texas/Mexico border, has the highest concentration of migrant workers and their children than anywhere else in the country.

What exactly does this mean? My questions may sound rhetorical, but the point is, most of us have no idea what the life of a migrant worker is like, and even more of us have less of an idea of the impact this lifestyle has on the children of these workers.

At the beginning of each school year, most of us place our kids in school knowing that for the next nine months they will have a stable classroom environment—one conducive to learning. We take this for granted, but this is not the norm for migrant children who on average attend several schools a year in as many States.

Weeks of school are missed, interrupting the continuity of a student's education. Think about your own child having to make these constant adjustments.

This amendment would establish, for the first time, a national migrant parent advisory council, where migrant families would be better able to communicate their needs—language skills, reading problems, health issues, deficient housing, and other factors associated with low income—to the Secretary of Education.

This parent advisory committee would provide a national focus that transcends the geographical barriers that form the educational systems for most children. As migrant needs are national, and only national programs can meet those needs, it is crucial that this advisory committee maintain a national perspective.

Mr. Speaker, the purpose of my Amendment No. 27 was to establish a national data exchange system to be used for maintaining migrant students' academic and vital information records.

This amendment is the result of meeting with parents of migrant students; with the education personnel who serve them; and the disadvantaged who travel from one State to another from April to October.

We are all familiar with the saying, ''If at first you don't succeed try, try again!''

We know that the first attempt at putting together a migrant student record transfer system was unsuccessful. But that does not mean the idea isn't important. It is. And we have to work together to provide effective services for this mobile population. The current system just doesn't work as well as it could. I've personally heard horror stories from migrant students about these children receiving 6 immunizations of the same medicine, and of being enrolled in below-grade level classes.

I am not trying to fix what ain't broke, but there is room for improvement and that is all I'm trying to do here.

We cannot just pretend migrant students don't exist—that's perpetuating the status quo.

When it comes to education, we should be long past the days of the haves versus the have-nots. We are not talking about an investment that's frivolous—my amendment would authorize $1 million for the first two fiscal years following the effective date of this act.

These children deserve to have as high a quality education as any other child, regardless of income. All this is about is making certain these children receive the same treatment as their counterparts. You would expect this for your children, I know I would expect it for mine. Why should these migrant children be treated any differently?

As it stands now, they are treated differently—they are pretty much an afterthought. We can change that, and I hope you will support this amendment.

Mr. GOODLING. Mr. Speaker, I rise in opposition to the motion to recommit offered by the gentleman from Texas (Mr. HINOJOSA).

Mr. Speaker, I want to make sure that everybody understands that for 6 months we wanted to put together whatever legislation they had of interest. The negotiations then did not really take place until day one of the markup.

Day one of the markup I said, ''Do you have something to offer?'' ''No, I am not ready.'' Day 2 of the markup, ''Do you have something to offer?'' ''No, I am not ready.'' Day 3 of the markup, ''Do you have something to offer?'' ''No, I am not ready.'' Day 4 of the markup, ''Do you have something to offer?'' ''No, I am not ready.''

I then said, ''Please have whatever it is you are interested in ready between now and the time we go to the floor.''

On Tuesday, at 3 o'clock in the afternoon of this week, I was told we have an agreement. At 9 o'clock on Tuesday evening, I was told we do not have an agreement. At 10 o'clock on Tuesday evening, I was told we do have an agreement.

So I said put what they said, and the chairman of the Caucus agreed to it, into the manager's amendment so that we have something there. So we have done everything under the sun we possibly could to accommodate.

We also had a hearing in the district of the gentleman from Texas (Mr. HINOJOSA). We also had a hearing in D.C. And we also had more time on other legislation in order to deal with the issue if there is total dissatisfaction. But we have done everything we possibly could and the ranking member has done everything he possibly could to bring about some kind of agreement.

We thought we had one. The chairman of the Caucus said we had one; and so, it was put in the manager's agreement.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. KILDEE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 358, noes 67, not voting 8, as follows:

[Roll No 526]

AYES—358

Abercrombie	Barcia	Bilbray
Ackerman	Barrett (NE)	Bilirakis
Aderholt	Barrett (WI)	Bishop
Allen	Bass	Blagojevich
Andrews	Bateman	Bliley
Armey	Bentsen	Blumenauer
Bachus	Bereuter	Boehlert
Baird	Berkley	Boehner
Baldacci	Berman	Bonilla
Baldwin	Berry	Bonior
Ballenger	Biggert	Bono

Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Calvert
Canady
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Inslee
Isakson
Jackson (IL)
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCollum
McCrery
McDermott
McGovern
McHugh
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Sweeney
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—67

Archer
Baker
Barr
Bartlett
Barton
Becerra
Blunt
Burton
Campbell
Cannon
Chenoweth-Hage
Coble
Coburn
Cox
Crane
Cubin
DeMint
Doolittle
Duncan
Ewing
Gonzalez
Gutknecht
Hayworth
Hefley
Herger
Hoekstra
Hunter
Hyde
Istook
Jones (NC)
LaHood
Largent
Lee
Manzullo
McInnis
Metcalf
Miller (FL)
Moran (KS)
Myrick
Paul
Payne
Pitts
Pombo
Radanovich
Rodriguez
Rohrabacher
Roybal-Allard
Royce
Ryun (KS)
Salmon
Sanford
Schaffer
Sensenbrenner
Sessions
Shadegg
Smith (MI)
Souder
Stearns
Stump
Sununu
Tancredo
Taylor (NC)
Tiahrt
Toomey
Wamp
Waters
Wicker

NOT VOTING—8

Camp
Davis (VA)
Jackson-Lee (TX)
Jefferson
Jenkins
McCarthy (MO)
McCarthy (NY)
Scarborough

□ 1542

Ms. ROYBAL-ALLARD and Mr. MCINNIS changed their vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DAVIS of Virginia. Mr. Speaker, I was standing in the well of the House before the vote was announced and the machine did not work. I would have voted ''aye'' on the last vote.

Mr. JENKINS. Mr. Speaker, on rollcall No. 526, I was away from the House Chamber attending an education press conference with other members of the House of Representatives and an eighth grade class and faculty from Rogersville, TN. city schools. Had I been present, I would have voted "yes."

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2, STUDENT RESULTS ACT OF 1999

Mr. DEAL of Georgia. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 2, that the Clerk be authorized to make technical corrections and conforming changes to the bill.

The SPEAKER pro tempore (Mr. SHIMKUS). Is there objection to the request of the gentleman from Georgia?

There was no objection.

ANNOUNCEMENT REGARDING AMENDMENT PROCESS FOR H.R. 1987, FAIR ACCESS TO INDEMNITY AND REIMBURSEMENT ACT

Mr. HASTINGS of Washington. Mr. Speaker, this afternoon a ''Dear Colleague'' will be sent to all Members informing them that the Committee on Rules is planning to meet the week of October 25 to grant a rule for consideration of H.R. 1987, the Fair Access to Indemnity and Reimbursement Act.

The Committee on Rules may grant a rule which will require that amendments be preprinted in the CONGRESSIONAL RECORD. In this case, amendments must be preprinted prior to consideration of the bill on the floor.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House.

CONFERENCE REPORT ON H.R. 2466, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 337 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 337

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

□ 1545

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, H. Res. 337 would grant a rule waiving all points of order against the conference report to accompany H.R. 2466, the Department of Interior and Related Agencies Appropriation Act for Fiscal Year 2000 and against its consideration. The rule further provides that the conference report shall be considered as read.

Mr. Speaker, the conference report to accompany H.R. 2466 appropriates $14.5 billion in new fiscal year 2000 budget authority, which is 599 million more than the House-passed bill and 236 million more than the fiscal year 1999 level; but it is 732 million less than the President's request.

Approximately half of the bill's funding, 7.3 billion, finances Interior Department programs to manage, study, and protect the Nation's animal, plant and mineral resources. The balance of the bill's funds support other non-Interior agencies that perform related functions. These include the Forest Service, conservation and fossil energy development programs run by the Department of Energy, the Indian Health Service, as well as Smithsonian Institute and similar cultural organizations.

Mr. Speaker, I applaud the gentleman from Ohio (Mr. REGULA) and the gentleman from Washington (Mr. DICKS) for their ongoing efforts to resolve a large number of complex and controversial issues contained in this legislation. As it is every year, theirs has been a difficult task, but one that they have taken with the customary fairness and balance. Accordingly, I urge my colleagues to support both the rule and the conference report itself.

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

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

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Washington (Mr. HASTINGS) for yielding this time to me.

I rise in opposition to the consideration of House Resolution 337, the rule governing consideration of H.R. 2466, the Interior appropriations conference report for Fiscal Year 2000. Mr. Speaker, approving the rule would allow this House to consider a conference report which richly deserves defeat. Voting down the rule would send a message to our friends on the conference committee that they need to go back to the drawing board.

This conference has a little bit of something for almost everyone to dislike. Many of its provisions are nothing short of a slap in the face to the majority of this House which voted on specific instructions which the conferees ignored.

The conference report is saddled with some truly offensive environmental riders which allow mining companies to continue doing damage to the public lands on which they operate, permits oil companies to operate under sweetheart deals on public lands, relaxes forest management practices and permits more timber to be taken from the Tongass National Forest in Alaska, just to name a few. The conference report is also woefully short of the mark on the administration's lands legacy effort which is designed to save environmentally sensitive and important land across this Nation and for which this Nation wants attention.

Mr. Speaker, Members looking for a reason to vote against this bill based on a concern for the environment have an embarrassment of riches from which to choose. As Chair of the Congressional Arts Caucus, let me address for a moment another egregious shortcoming in this bill.

Last month the other body took the responsible position of increasing funding by $5 million each for the National Endowment for the Arts and the National Endowment for the Humanities. In keeping with that position this House voted to instruct the conferees to accept the higher funding levels. The conference committee, presumably acting under direction of the House leadership, choose to ignore our instructions. Sadly NEA funding has once again been hijacked by a small number of individuals who long ago put on their blinders and now refuse to take them off.

In fiscal year 1996 the NEA had its budget cut by 40 percent, a cut from which very few agencies could even recover. Since that time NEA opponents have made it their obsession to oppose a complete recovery. They have chosen to obfuscate the facts by falsely characterizing the agency's work and by demeaning the value of art and culture to our society.

Had the conferees gone along with the modest funding increase provided by the other body and endorsed in a vote on the floor of this House, it would have been the first increase in arts funding since 1992. It would have allowed the NEA to broaden its reach to all Americans by partially funding its proposed Challenge America initiative which is expressly designed to provide grants in communities which have been underserved by the agency because of its lack of money. Some of our colleagues rail against the NEA, saying it has ignored their districts but now withhold the very funding which would correct the problem.

This funding increase would have given the Endowment the resources to undertake the job that we in Congress have asked it to do to make more grants to small and medium-sized communities. In addition, the agency has spent the past few years implementing reforms to make itself more accountable to the American people, and I strongly believe they have earned the opportunity to pursue this plan.

The arts are supported by the United States Conference of Mayors, the National Association of Counties and by such corporations as CBS, Coca-Cola, Mobil, Westinghouse, and Boeing, to name just a few. These organizations support the arts because they provide economic benefit to our communities. With one hundredth of 1 percent of the Federal budget, we help to create a system that supports 1.3 million full-time jobs in States, cities, towns, and villages across the country providing $3.4 billion in income taxes to the Treasury. I do not think we make any investment here with a greater return.

Mr. Speaker, while I am pleased that the committee allowed a $5 million increase to the NEH, I cannot support legislation shortchanging the NEA for yet another year. This is not about budget caps. The benefits that we receive for our economy, for our children, and for our communities far outweigh the small financial investment we are making.

This is not about public support. As opinion polls show, without a doubt the American people are overwhelmingly in favor of a Federal role in the arts. And this is not about support in this body that was demonstrated on the floor of this House just 17 days ago. This is about a small number of individuals who want to run against the NEA at election time.

Mr. Speaker, let us put those campaigns to rest and put to rest the campaign of misinformation which is keeping the NEA from continuing and expanding its valuable work. I urge my colleagues to send this legislation back to the conference committee so that we can give our leaders another opportunity to finish the job that we have asked them to do on numerous occasions.

Mr. Speaker, I urge a no vote on the resolution.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the distinguished chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I appreciate my friend yielding this time to me. I thank the gentleman from Washington for his fine leadership on our committee.

I rise in very strong support not only of the rule but of the stellar work that has been done by our friend from Ohio, the chairman of the Subcommittee on Interior (Mr. REGULA). Every year there are millions of Americans and foreign tourists who come from all over the world to take advantage of what is clearly the best park system on the face of the Earth, whether it is the Everglades in Florida, part of which is represented by members of the Committee on Rules, the gentleman from Florida (Mr. DIAZ-BALART), or the gentleman from Florida (Mr. GOSS), or the Angeles National Forest, which I am privileged to represent along with my colleague, the gentleman from California (Mr. ROGAN). Incidentally, the Angeles National Forest happens to be the most utilized of our national forest system.

These are very, very important, very, very precious items that need to be addressed; and I will tell my colleagues that the work that has been done by the gentleman from Ohio (Mr. REGULA) is very key to the continued success of that important system.

I want to specifically express my thanks for dealing with the problem that we in southern California regularly face, and that is fires. We know that as we approach the fire season, we

have now seen $24 million for the National Forest Service state fire assistance program, which is a $3.2 million increase over last year; and I want to again express my thanks for the attention that has been focused on that important problem that we have.

Now I finally would like to raise one issue of concern that the gentleman from Ohio and I have discussed on more than a few occasions, and I would like to say at this point I offer what is at best sort of wavering support for the adventure pass; and it is in large part due to some of the issues which I suspect the gentleman from Ohio (Mr. REGULA) will raise during debate on this issue, and that is the question of whether or not people who are in the area paying into the adventure pass are actually seeing any kind of tangible benefit from the fact that they have put dollars into that adventure pass.

In the Angeles National Forest, as I said, the most utilized of all in our Nation's system, many of my constituents have been obviously in, just going through, been forced to pay for the adventure pass; and yet they do not see any kind of real tangible benefit, and that is why I am pleased that there is an additional $1.1 million that has been added for the Angeles National Forest to improve the basic infrastructure there, which is a concern. So I will say that we look forward to further reports on the pilot program of the adventure pass, and I am going on record, as I have before, raising the concerns that many of my constituents have pointed to; and I hope that we are able to work closely with the Forest Service so that we can see real tangible benefits from that.

So, having said all of those things, I strongly support the rule, urge my colleagues to vote for it, and I also urge strong support for what I think is the best possible conference report that we could get at this juncture.

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I thank the gentlewoman for the time.

Mr. Speaker, first of all could I ask the gentleman from Florida (Mr. YOUNG) a question about this bill. I would like to ask the distinguished gentleman:

The latest report on the revised allocations of budget authority and outlays filed by the Committee on Appropriations is dated October 12 and is printed in the House as Report 106–373. That is the 302 allocation. The document indicates that the discretionary budget authority allocation for the Subcommittee on Interior is $13.888 billion and that the discretionary outlay allocation for the subcommittee is $14.354 billion.

Is it the understanding of the gentleman that the number I just mentioned, that the numbers do in fact represent the latest target allocations for the subcommittee?

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Speaker, I think the gentleman's figures are correct; however, the gentleman also knows that before we complete the appropriations process totally, there may be needed some additional.

Mr. OBEY. Right. So at this point that is the latest published allocation to the subcommittee; is that not correct?

Mr. YOUNG of Florida. That is my understanding.

Mr. OBEY. I have a table prepared, Mr. Speaker, by the Committee on Appropriations dated October 15, which indicates that the discretionary budget authority included in the interior conference agreement totals 14,506,491,000 and that the discretionary outlays total 14.523 billion. If these are the correct numbers for this conference report, it appears that the conference agreement exceeds the latest budget authority allocation by $618.491 million and exceeds the latest outlay allocation by $169 million, and that being the case, that is why a number of us are dubious about the wisdom of proceeding with this bill at this moment.

□ 1600

The problems within this bill, in addition to some of the others that I will mention in just a moment, another major problem is that we simply do not at this point know where this bill fits into the overall budget scheme. We do know that bills that have passed the House to date have exceeded the President's budget request by almost $20 billion.

Given that fact, we know that there is a squeeze on the remaining bills, and at this point, given the meeting that we saw at the White House where we thought there was going to be an arrangement on how to proceed between the White House and Congressional leaders (they being the four-star generals in this place, we being the light colonels), it seems to me it is very difficult even to justify proceeding on this bill when we do not know whether this is going to further add to the excess of spending that is being alleged in the budget process or whether it is not. That is why I raised the question that I just asked of the gentleman from Florida (Mr. YOUNG), because all we know at this point is that this bill exceeds the spending authority which was allotted to it the last time the Committee on Appropriations met under the requirement of the Budget Act.

In addition to that concern, Mr. Speaker, I would simply point out the following problems with this bill. It excludes funds for many unique and ecologically important land parcels which can be lost forever to development if they are not purchased now. This bill falls way short of where it ought to be in the Lands Legacy proposal. It rewrites the 1872 mining laws to allow mine operators who are paying next to nothing to extract minerals from public lands to inflict even more environmental damage on those lands. It requires that western ranchers who enjoy the privilege of grazing permits be granted automatic 10-year renewals without completion of the review of the impact of current grazing practices. It includes $5 million not requested by the President to facilitate additional timber sales from the Tongass National Forest. It blocks an Interior Department regulation requiring major oil companies to finally pay something approaching market value for the taxpayers' land that they are pumping oil out of. It has a number of other problems. It rejects any added funding for the National Endowment for the Arts.

I would simply say this in closing: None of what I am saying is in any way critical of the gentleman from Florida (Mr. YOUNG) or the distinguished gentleman from Ohio (Mr. REGULA) who chairs this subcommittee. In fact, in that subcommittee, and I am sure anybody who was there will verify this, he tried mightily to prevent some of these riders from being attached. We think that he did make a strong effort. The problem is that we still do not believe that this will meet the standards that would be required to defend the public interest. So for a variety of reasons that I have just listed, we feel constrained to oppose this bill and would hope that by the time it finally becomes law, that it will be in far better shape.

I know that if this bill reaches the White House it will be vetoed. The White House has made that quite clear to us and the press. Under the circumstances those circumstances, I think it is ill-advised for this bill to even be here in light of the meeting that took place at the White House. But we have no choice, if the majority is going to bring the bill to the floor, we have no choice at this point to oppose it.

Mr. Speaker, I thank the gentleman from Florida for honestly answering my question.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding me this time.

I want to respond to the gentleman from Wisconsin. As usual, his numbers are correct.

However, I want to highlight a difference in how we are proceeding this year. The Office of Management and Budget would like us to package up all of these appropriations bills and put them into one package so that we could have another disaster like the omnibus appropriations bill that we had last year. We are determined not to do that.

It is our intention and our plan, and we are on course, to send the individual

bills to the President's desk for his consideration. The reason we want to do that is that we would like to know if he has specific objections to those bills. We would like to know what they are, not in generalities, but specifically, so that we can actually focus on what the differences really are. Our experience has been that the only way we find exactly what the President's opposition is, is in a veto message where he must be specific and he must put it on paper so that we can read it and understand it.

But I want to assure the gentleman from Wisconsin that whether we have an omnibus bill such as the Office of Management and Budget wants, or whether we are going to have individual bills the way that we want, we will not go above the budget agreement. We will not use any money out of the Social Security Trust Fund. The Sequestration would not be triggered unless all bills were signed into law and exceeded the budget agreement. That is not going to happen. But we are going to deal with these bills one at a time so that they retain their identity and so that we can deal with specific objections from the White House rather than generalities.

Now, Mr. Speaker, I rise in strong support of this rule and the conference report on the Department of the Interior and Related Agencies Appropriations Act for fiscal year 2000. This is the twelfth fiscal year 2000 appropriations conference report to come before the House. Number 13 should be ready soon.

This is a good conference agreement. It provides important funding for the highest priority needs of operating and maintaining our existing national parks and wildlife refuges. It includes funding to manage our Federal lands. Important to my State is funding for the Everglades restoration.

At this point, I want to make note of the fact that this is the anniversary of the enactment of last year's omnibus appropriations bill. Because the terms and conditions of many of the appropriations bills that were included in that legislation still have effect today because of the terms of the continuing resolution we were operating under, I take this time to highlight one such provision that is important to the Office of Management and Budget and to the administration. That is that the continuing resolution will preserve the President's authority under section 540(d) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, to waive section 1003 of Public Law 100–204.

Mr. Speaker, I thank the gentleman for the time.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I thank the gentleman from Florida for clearing up the question with respect to the Public Law. I think that is a very useful clarification.

But I do want to take issue with his interpretation of why we should not have an overall approach to resolve our remaining budget differences. The gentleman said that the majority party does not want to go into an omnibus meeting because last year when they did, we wound up with all kinds of gimmicks. Let me point out that last year, we wound up with $21 billion worth of so-called emergency spending. Now, if spending is called emergencies, under these crazy budget rules, it does not count in total spending. So it is, in fact, hidden.

The problem is, this year, without going into those meetings with the President, bills passed by this House already contain $25 billion in emergency spending. So we have already gone far beyond where the gentleman was concerned we would go if we ever sat down with the President.

This second chart demonstrates that there are $45 billion in gimmicks already contained in the budgets that have been passed by the majority through this House. My colleagues can see the categories for themselves: $25 billion in phoney designation of the emergency spending, $17 billion that we hide by telling the Congressional Budget Office to pretend that programs are going to cost less than, in fact, the Congressional Budget Office has told us they are going to cost. Then they move billions of dollars into the next year in order to hide the fact that we are actually appropriating it this year. And what we have really done is we have a menu, we have a multiple choice menu. We have column A, which is the OMB, the White House numbers; column B, which is the Congressional Budget Office which we are supposed to adhere to in determining how much money is spent. And instead of deciding one or another, we have picked one from column B, one from column A. They always pick the numbers that are the lowest, and that is the way they hide the fact that they are spending billions of dollars more than we are actually spending. That is why we think we need to get together.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Utah (Mr. HANSEN).

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

Mr. HANSEN. Mr. Speaker, let me just express the great respect that I have for the gentleman from Ohio (Mr. REGULA), the chairman of the subcommittee, and the absolutely difficult job that he has done. I do not know of a harder thing to work out than he has done on this legislation. I fully intend to vote for the rule and for the conference report.

However, I do have one concern. As the chairman of the Subcommittee on Public Lands and National Parks, we had a hearing and this hearing was about the Everglades Recovery Plan. In that area, there are 8.5 square miles, and there are farms in that area, Mr. Speaker, and there are people who came from Cuba, and they came from Cuba, most of these people, because Fidel Castro was taking away their property, just abstractly taking it. So they came to America so that they would not have to have that.

Now, a lot of people said, oh, the only way we can ever recover this Everglades thing is to take that 8.5 square miles. That was in 1989. In 1999 in my hearing, the Corps of Engineers, the State of Florida, the Federal South Florida Ecosystem Restoration Task Force all said they do not need 8.5 square miles.

So here we are putting these people in the same condition they were in and saying all right, we are taking away your ground now, and just imagine how they feel at this point.

I am sure we can probably work this out, and I hope we can. But, Mr. Speaker, let me point out that it seems kind of the most ironic thing I have seen in a long time to think here they are in Cuba having their land taken away from them, and then we are in this bill taking it away. So I am sure the people of the stature of the gentleman from Ohio (Mr. REGULA) and the gentleman from Florida (Mr. YOUNG) and others can do their very best not to do this, and I would hope the other Members of the other body would not do this. Because it seems to me that on this piece of legislation that we are truly legislating on an appropriations bill, but because I think it will be worked out, I fully intend to support this bill and support the gentleman from Florida (Mr. YOUNG) and the gentleman from Ohio (Mr. REGULA).

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. UDALL) whose late father, Morris Udall, chaired the Committee on Interior and Insular Affairs with great distinction.

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Speaker, I thank my colleague, the gentlewoman from New York (Ms. SLAUGHTER) for yielding me this time.

Mr. Speaker, funding for the Interior Department and the Forest Service and the other agencies and programs covered by this appropriations bill is very important for our Nation and especially for the West, which is my area of the country. So I regret that I cannot support this conference report. There are many problems with the report, but they can be summed up pretty easily. It does not do enough of the right things, and it does too many bad things.

It does not do enough to respond to the urgent need for protecting open space threatened by growth, sprawl and development. It does not do enough to properly manage our Federal lands and the fish, wildlife, and ecosystems that they support. It does not do enough to meet our national responsibilities to

our Native Americans. It does not do enough to support arts and arts education. And it does not do enough to help us make progress in making more efficient use of our valuable energy supplies.

But in other areas, it does too much. It does too much to revise certain parts of the mining law of 1872 through the appropriations process. Instead of letting the Mill site issue be considered in the context of other aspects of that 125-year-old law, including the question of whether the taxpayers get a fair return for mineral development on our and their public lands. It does too much to block efforts to reform the accounting methods to determine how taxpayers and our public schools will share in the proceeds from oil and gas taken from Federal lands, and it does too much to legislatively interfere with sound and orderly management of Federal natural resources and the protection of the environment.

□ 1615

It would undermine the established processes for a rising national forest plan, for managing the public lands managed by the BLM and for protecting the peace and quiet of the national parks.

It would unduly restrict our efforts to work with other countries, to work on the problems of global warming and climate change and would weaken our commitment to those communities that want to work hard to make sure that the natural, environmental, and cultural resources found along America's heritage rivers are preserved.

Mr. Speaker, I have great respect for the gentleman from Ohio (Mr. REGULA), the gentleman from Washington (Mr. DICKS), and the other House conferees. I recognize there are important and good things in this bill but, on balance, it falls short and so I cannot support it.

INTERIOR BILL—OBJECTIONABLE RIDERS

1. OIL VALUATION MORATORIUM

Conference Agreement: Continues the moratorium for an additional 6 months while GAO studies the regulations proposed by the Department. This would be the fourth moratorium on these regulations. As requested by the Congressional supporters of the moratorium, the Minerals Management Service has conducted extensive outreach to the industry during the prior moratoria.

2. MINING WASTE

Conference Agreement: Prevents the Department from implementing for many mining operations a provision of the Mining Law of 1872 that limits the mine operator to one 5 acre millsite per mining claim. Millsites are typically used to dump mine waste.

3. HARDROCK MINING SURFACE MANAGEMENT

Conference Agreement: Imposes a one year moratorium on issuance of regulations to improve environmental compliance in the operation of hardrock mines. Requires that the 2001 budget include legislative, regulatory and funding proposals to implement recent recommendations of the National Academy of Sciences concerning surface management of hardrock mines.

4. EVERGLADES

Conference Agreement: Makes the FY 2000 grant to Florida for land acquisition in support of Everglades restoration contingent on a binding agreement between the Federal Government, the State and the South Florida Water Management District providing an assured supply of water to the natural system of the Everglades and water supply systems for urban and agricultural users.

5. WILDLIFE SURVEYS

Conference Agreement: Gives the Forest Service and BLM discretionary authority to conduct wildlife surveys before offering timber sales.

6. MARK TWAIN

Conference Agreement: Suspends for one year the authority of the Secretary of the Interior to segregate or withdraw land in the Mark Twain National forest from hardrock mining. Also prohibits issuance of permits for hardrock mineral exploration in the Forest for one year. Funds a study to assess the impact of lead and zinc mining in the Forest.

7. GRIZZLY BEAR REINTRODUCTION

Conference Agreement: Prohibits reintroduction of grizzly bears into the Selway-Bitteroot Mountains in Idaho and Montana during FY 2000. The Fish and Wildlife Service has been working for several years on an innovative, collaborative process with local stakeholders.

8. GRAZING

Conference Agreement: For FY 2000, automatically renews expiring grazing permits for which NEPA has not been completed for new 10 year terms.

9. INTERIOR COLUMBIA RIVER BASIN

Conference Agreement: Requires publication of a report describing goods and services in the 144 million acre Interior Columbia River Basin prior to the release of the final environmental impact statement on the Administration's effort to develop a coordinated strategy for management of Federal lands in eastern Washington and Oregon, Idaho, and western Montana.

10. AMERICAN HERITAGE RIVERS

Conference Agreement: Prevents agencies and offices funded in the bill from using funds to support the American Heritage Rivers program administered through the Executive Office of the President and the Council on Environmental Quality.

11. BIA/IHS CONTRACTING MORATORIUM

Conference Agreement: Continues the 1999 moratorium on tribes assuming additional duties through new or expanded P.L. 93–638 contracts, grants and self-governance compacts. The continued moratorium applies only to contracting and compacting by BIA and HIS and exempts two programs: education construction and IHS programs to Alaska Tribes.

12. NPS/GRAND CANYON NOISE

Conference Agreement: Prohibits the Department from spending funds to implement sound thresholds or standards in the Grand Canyon until 90 days after the NPS provides a report to Congress.

DEPARTMENT OF THE INTERIOR—TITLE I APPROPRIATIONS: KEY BUDGET NUMBERS—CONFERENCE ESTIMATE**

[Current BA in millions of dollars]

	1999 enacted*	2000 President's budget request	2000 conf. estimate	2000 estimate difference from 1999 enacted		2000 estimate difference from 2000 pres. budg. request	
				Millions of dollars	Percent	Millions of dollars	Percent
Total, Interior & Related Agencies	6,940	7,769	7,277	+366	+4.8	−492	−6.3
BIA;/Indian Trusts Total	1,786	2,002	1,912	+126	+7.0	−90	−4.5
Land Management Operations composed of	2,665	2,856	2,825	+159	+6.0	−32	−1.1
BLM Operations	716	743	743	+27	+3.8	+1	+0.1
FWS Operations	661	724	716	+55	+8.3	−8	−1.1
NPS Operations	1,288	1,390	1,365	+77	+6.0	−25	−1.8
Wildland Fire Management	287	306	292	+5	+1.9	−14	−4.4
Interior Science	798	838	824	+26	+3.3	−15	−1.7
Interior Land Acquisition composed of	211	295	187	−24	−11.3	−108	−36.7
BLM Land Acquisition	15	49	16	+1	+6.2	−33	−68.3
FWS Land Acquisition	48	74	51	+2	+5.2	−23	−31.4
NPS Land Acquisition	148	172	121	−27	−18.4	−52	−30.0
Interior Construction composed of	415	420	437	+23	+5.5	+17	+4.1
BLM Construction	11	8	11	+0	+3.9	+3	+36.8
FWS Construction	50	44	55	+4	+8.2	+11	+25.3
NPS Construction	230	194	224	−5	−2.3	−30	−15.7
BIA Construction	123	174	147	+23	+19.0	−27	−15.7
Departmental Offices (w/o OST)	214	229	222	+9	+4.1	−6	−2.8
All Other Funds	689	997	725	+36	+5.2	−272	−27.3

*Does not include supplemental funds, special apporpriation for King Cover, Glacier Bay, subsistence. Does not include Y2K mitigation transfers.
**Does not incluode any billwide reduction.

FY 2000 ANNUAL APPROPRIATED (CURRENT BA) BY BUREAU: ESTIMATED CONFERENCE OUTCOME

[In millions of dollars]

Bureau	1999 Estimate	2000 Request	Con. Estimate Amount	Outcome change from 1999*	Percent change	Outcome change from req.*	Percent change
Bureau of Land Management	1,190	1,269	1,234	+44	+3.7	−35	−2.8
Minerals Management Service	124	116	117	−7	−5.6	1	0.9
Office of Surface Mining Recl'n & Enforcemer	279	306	287	+8	+2.9	−19	−6.2
U.S. Geological Survey	798	838	824	+26	+3.3	−14	−1.7
Fish and Wildlife Service	802	950	871	+69	+8.6	−79	−8.3
National Park Service	1,748	2,059	1,809	+61	+3.5	−250	−12.1
Bureau of Indian Affairs	1,746	1,902	1,817	+71	+4.1	−85	−4.5
Departmental Office:							
Departmental Management (99 comp.)	60	63	63	+3	+5.0	0	0
Insular Affairs	87	89	88	+1	+1.1	−1	−1.1

FY 2000 ANNUAL APPROPRIATED (CURRENT BA) BY BUREAU: ESTIMATED CONFERENCE OUTCOME—Continued

[In millions of dollars]

Bureau	1999 Estimate	2000 Request	Con. Estimate Amount	Outcome change from 1999*	Percent change	Outcome change from req.*	Percent change
Office of the Solicitor	37	42	40	+3	+8.1	−2	−4.8
Office of the Inspector General	25	28	26	+1	+4.0	−2	−7.1
Office of Special Trustee	39	100	95	+56	+143.6	−5	−5.0
NRDAR	4	8	5	+1	+25.0	−3	−37.5
Departmental Office	252	330	317	+66	+26.2	−13	−3.9
Subtotal, Interior Bill (current BA)	6,939	7,769	7,277	+337	+4.9	−492	−6.3
Bureau of Reclamation	781	857	769	−12	−1.5	−88	−10.3
Central Utah Project Completion Act	42	39	39	−3	−7.1	0	0
Adjustments for Mandatory Current Accr	−57	−57	−57	0	0	0	0
Adjustment for Discretionary Offsets	−100	−47	−47	+53	0	0	0
Total Net Discretionary BA	7,605	8,560	6,981	+376	+4.0	−580	−6.8
Total Current BA	7,763	8,665	8,085	+323	+4.2	−580	−6.7

Note: Does not include 1999 supplemental, appropriations or transfers, Glacier Bay funds, subsistence funds.

ANTI-ENVIRONMENTAL RIDERS ON THE FY 2000 INTERIOR APPROPRIATIONS BILL AS OF 10/19/99

This list was compiled by Defenders of Wildlife using write-ups received from numerous groups in the conservation community.

(*) indicates a provision that has been deleted or amended and no longer objectionable.

__ indicates new provisions added in conference.

INTERIOR APPROPRIATIONS BILL (H.R. 2466)

(1) Sec. 122: Special Deal For Washington Grazing Interests—would renew and extend livestock grazing within the popular Lake Roosevelt National Recreation Area in Washington. This provision undercuts a National Park Service decision that livestock grazing was not an authorized activity within the Recreation Area, and benefits 10 ranchers at a cost to the thousands of visitors using the National Recreation Area. Unlike the Senate provision the House language places no limits on how long the renewals could last. Lake Roosevelt National Recreation Area is a popular destination spot for water-sports enthusiasts and recreationists along the Columbia River in Washington. The National Park Service found that livestock grazing should not be authorized within the Recreation Area in 1990, and gave the existing ranchers using the National Park Service lands several years to transition out of the use of this area. In 1997, all livestock grazing ceased within the National Recreation Area. The rider re-instates the grazing practices to the benefit of a small handful of ranchers on 1000 acres of National Park System lands within the National Recreation Area.

Status: Unchanged as passed by the full Senate on 9/24/99 and negotiated by the House-Senate conference committee as of 10/18/99.

(2) Sec. 123: Allow Grazing Without Environmental Review—requires the Bureau of Land Management (BLM) to renew expiring grazing permits (or transfer existing permits) under the same terms and conditions contained in the old permit. Expanded by Senator Domenici (R–NM) in full Committee, this automatic renewal will remain in effect until such time as the BLM complies with ''all applicable laws.'' There is no schedule imposed on the Agency, therefore necessary environmental improvements to the grazing program could be postponed indefinitely. This rider affects millions of acres of public rangelands that support endangered species, wildlife, recreation, and cultural resources. The rider's impact goes far beyond the language contained in the FY 1999 appropriations bill, in which Congress allowed a short-term extension of grazing permits which expired during the current fiscal year. As written, this section undercuts the application of any environmental law, derails both litigation and administrative appeals, and hampers application of the conservation-oriented grazing ''standards and guidelines'' that were developed under the ''rangeland reform'' effort. Because BLM will be required to reissue (transfer) grazing permits under the old terms and conditions, the agency will have no reason to consider public comments or to allow administrative appeals of permit-related decisions. As written, the language covers permits that expire ''in this or any fiscal year'' and may therefore undercut existing litigation and administrative appeals brought by the conservation community to protect wildlife and improve rangeland protection. To make matters worse, because it has been restated to apply to the Department of Interior and not just the BLM, it will actually undercut efforts by the NPS to apply NEPA and change grazing permits to protect the environment in places like the Mojave Desert National Preserve. This section provides a perverse incentive for the BLM to delay its NEPA and related environmental analysis, as it will be politically easier to simply extend permits.

Status: Amended but remains objectionable. The provision was amended to make minor changes in conference but essentially retains the same objectionable provisions in the original Senate rider. The reference to ''this or any fiscal year'' was deleted but the bill language is still unclear as to the duration of the rider. Weakly-worded report language was also added calling for a non-mandatory permit schedule to be developed absent a specific time frame. Sen. Durbin (D–IL) offered an amendment on the Senate floor on 9/9/99 to limit the scope of this rider and establish a schedule for the completion of processing expiring grazing permits by the BLM. The amendment was tabled (rejected) by a vote of 58–37 and remains in the bill.

(3) Sec. 133: Give Away 2,500 Acres of Public Land in Nevada for Development—would direct the Secretary of Interior to convey over 2,500 acres of public lands in Eastern Nevada to the City of Mesquite free of charge. There are no restrictions on the uses of this land, and the city is apparently contemplating creating or expanding an airport corridor. The rider exempts the land conveyance from applicable administrative procedures and would likely preclude a full environmental review of the environmental impacts of this action. Development of this land could affect endangered fish species inhabiting the Virgin River, including the wondfin minnow, Virgin River Chub, Virgin River Spinedace and other species which live nearby such as the southwest willow flycatcher. This rider also provides for about 6,000 acres to be sold to the city for development. The Department of Interior opposes this amendment, because it gives away land that is currently being used by the Interior Department without any compensation to the federal government. Also, the Federal Aviation Administration has not completed a suitability assessment for the airport site to determine whether it is appropriate for aviation.

Status: Unchanged as passed by the full Senate on 9/24/99 and negotiated by the House-Senate conference committee as of 10/18/99. This provision was inserted into the bill as part of a managers amendment on the Senate floor on 9/14/99 on behalf of Senator Reid (D–NV).

(4) Sec. 135: Prevent Restoration of Glen Canyon and the Colorado River—would prevent land managers from studying or implementing any plan to drain Lake Powell or to reduce the water level in Lake Powell below the range required to operate Glen Canyon Dam. This effectively prevents any restoration efforts for Glen Canyon and the Colorado river near the Utah-Arizona border. Glen Canyon, one of America's greatest natural treasures, was flooded in 1963 by the construction of the Glen Canyon Dam and Lake Powell. The dam has also caused environmental damage to fish and wildlife downstream on the Colorado River. This rider would tie the hands of land managers, prevent full consideration of restoration options, and prohibit meaningful scientific review of the dam.

Status: Unchanged as passed by the full Senate on 9/24/99 and negotiated by the House-Senate conference committee as of 10/18/99. This provision was inserted into the bill as part of a managers amendment on the Senate floor on 9/14/99 on behalf of Senator Hatch (R–Utah).

(5) Sec. 136: Expand Exemption for Fur Dealers to Include Internationally Protected Species—would effectively amend and expand an already controversy exemption for fur dealers approved by the U.S. Fish and Wildlife Service by including internationally protected species under the Convention on International Trade in Endangered Species (CITES) and expanding the scope of the exemption to include all fur traders. This rider, offered as part of a group of ''non controversial'' manager's amendments, goes dramatically beyond the existing exemption which was itself strongly opposed by a number of conservation organizations. Specifically, the provision would: (1) increase the existing exemption from 100 to 1000 furs—a 10-fold increase; (2) include shipments involving internationally threatened and endangered species (CITES-listed) such as lynx, river otter, bobcat, and black bear in the exemption; and (3) expand the existing exemption to apply to any person or business, whereas the current exemption is restricted to the person who took the animals from the wild, or an immediate family member. The practical effect of the amendment is that each and every fur shipment imported or exported will be crafted to fit this exemption in order to avoid paying user fees (ie, a shipment of 5000 furs will simply become 5 shipments), causing the U.S. Fish and Wildlife Service to forego a significant amount of revenue used to support an already underfunded wildlife inspection program, and further endangering species already shown to be threatened by trade.

Status: Amended but remains objectionable. After being passed by the full Senate on 9/24/99, the provision was amended in conference to cap the annual volume of fur shipments per person

under this exemption at 2,500. This change does not substantively address the major concerns articulated above. This provision was inserted into the bill as part of a managers amendment on the Senate floor on 9/14/99 on behalf of Senator Murkowski (R–AK).

(6) Sec. 137: Delay Efforts to Reduce Noise Pollution in the Grand Canyon—would prohibit the National Park Service from expending any funds in FY 2000 to implement sound thresholds or other requirements to combat noise pollution in the park until a report on such standards is submitted to Congress. Years of public discussion have resulted in agreement that the natural sounds of the Canyon need to be restored and protected from air tours and other sources. This amendment was introduced on behalf of the air tour industry that wants to delay the implementation of those agreements and force the National Park Service to spend additional time and money defending its decisions in an additional study on the subject.

Status: Unchanged as passed by the full Senate on 9/24/99 and reported from the House-Senate conference committee on———. This provision was inserted into the bill as part of a managers amendment on the Senate floor on 7/14/99 on behalf of Senators Bryan (D–NV) and Reid (D–NV).

(7) Sec. 141: Allow the Oil Industry to Continue Underpaying Royalties—would delay the implementation of an oil valuation rule by the Minerals Management Service (MMS) for the fourth time. The MMS' rule would force the largest oil companies to stop underpaying, by $66–$100 million a year, the royalties they owe the American public for drilling on public lands. These royalties would otherwise go to the federal treasury, to the Land and Water Conservation Fund, and to state public education programs. This rider was attached by Senators Domenici (R–NM) and Hutchison (R–TX) in full committee mark up.

Status: Amended but remains objectionable. After being passed by the full Senate on 9/24/99, the provision was amended in conference to delay the new rule for 6 months pending a study by the Comptroller General of the General Accounting Office (GAO). The GAO has already released a study on the oil valuation rule in 1998 and it is unclear what further study would yield. On 7/27/99, this provision was stricken from the Senate bill in order to comply with Senate Rule XVI, which was reinstated after a four-year suspension by a Senate floor vote of 53–45 one day earlier. Rule XVI restricts the addition of unrelated policy riders to appropriation bills on the Senate Floor. However, the provision was re-offered by Sen. Hutchison (R–TX) on the Senate floor. To keep the provision out of the bill, Senator Boxer (R–CA) and others filibustered the amendment until the Senate leadership forced a vote on cloture. On 9/13/99, that vote failed to get the required 60 votes (55–40) which should have spelled the end of the amendment. However, proponents of the rider demanded a re-vote due to the absence of 5 senators. On 9/23/99 the revote on cloture succeeded by a margin of 60–39. The Senate immediately voted to add the amended Hutchinson's rider which is limited to FY 2000 to the bill by a vote of 51–47.

(8) Title II: Increase Timber Subsidies for the Tongass National Forest—would allocate an extra $11.55 million to the Alaska Region of the Forest Service to force a three year supply of timber. This rider creates a special fund to ensure that Alaska's Tongass National Forest will continue to offer far more timber for sale than will be purchased. In Fiscal Year 1998 the Forest Service sold only 25 million board feet of the 187 million offered. When the public's old-growth trees were re-offered for sale at rock-bottom rates, still only have the volume sold. This rider guarantees that the Tongass remains the nation's largest money-losing timber sale program. The rider's supporters hope the flood of taxpayer-subsidized timber will spur the creation of a highly automated veneer slicer. Veneer slicers provide even fewer jobs per tree than the region's defunct pulp mills. To add insult to injury, this comes on top of the $34 million increase the Senate added nationwide to the Forest Service's timber request for FY 2000.

Status: Amended but remains objectionable. After passing the full Senate on 9/24/99, the provision was amended in conference to reduce funding for this program by $6.55 million for a final total of $5 million. Unfortunately, most of the reduction was used to increase funds for a damaging and unnecessary powerline through Alaska's Tongass National Forest (See write up at end of the Interior section). This provision was originally inserted into the bill as part of a managers amendment on the Senate floor on 9/14/99 on behalf of Senator Stevens (R–AK).

(9) Title II: Lead Mining in Ozark National Scenic Riverways—would prohibit the Secretary of the Interior from taking any action to prohibit mining activities in the watersheds of the Current, Jacks Fork, and the Eleven Point rivers in the Missouri Ozarks until June 2001. Under the Federal Land Policy and Management Act, the Secretary of the Interior may remove federal lands from access by mining companies. This provision, added by Senator Bond (R–MO) in full Committee, would block the Secretary from exercising that authority. Missouri conservation organizations, Missouri's Attorney General Jay Nixon, and the National Park Service had requested that Secretary Babbitt begin procedures to prohibit mining activities in these critical watersheds. The Doe Run Company had targeted the area for exploratory drilling, but withdrew the applications under protest. These lands were purchased for watershed and forestry resource protection—and the groups and entities requesting the withdrawal are concerned that lead mining would conflict with these purposes.

Status: Unchanged as passed by the full Senate on 9/24/99 and negotiated by the House-Senate conference committee as of 10/18/99. On 7/27/99, this provision was stricken from the Senate bill in order to comply with Senate Rule XVI, which was reinstated after a four-year suspension by a Senate floor vote of 53–45 one day earlier. Rule XVI restricts the addition of unrelated policy riders to appropriation bills on the Senate Floor. However, the provision was re-offered on 9/9/99 on the Senate floor by Sen. Bond (R–MO) (for Sen. Lott (R–MS)). The amendment passed by a vote of 54–44 and remains in the bill.

(10) Sec. 321: Delay National Forest Planning—would impose a funding limitation to halt the revision of any forest plans not already undergoing revision, except for the 11 forests legally mandated to have their plans completed during calendar year 2000, until final or interim final planning regulations are adopted. There is concern that this provision will put pressure on the Forest Service to hastily promulgate new regulations, rather than carefully incorporating recent recommendations developed by an independent Committee of Scientists. Sec. 322 in the bill would halt funding to carry out strategic planning under the Forest and Rangeland Renewable Resources Planning Act (RPA).

Status: Unchanged as passed by the full Senate on 9/24/99 and negotiated by the House-Senate conference committee as of 10/18/99.

(11) Sec. 327: Divert Trail Fund for ''Forest Health'' Logging—would allow the ten per cent roads and trails fund to be used to ''improve forest health conditions.'' Since there are no restrictions limiting the use to non-commercial activities, and logging is considered a ''forest health'' activity, this fund could be used to fund timber sales. It also represents a back door method to fund more logging roads for salvage and commercial timber operations. This rider also eliminates the requirement that the roads and trails fund be spent in the same state the money is generated when used for these purposes. This opens the distribution of these funds to the political process, allowing all the funding to go to one state or region with more political clout. Since there is a salvage fund and other sources such as vegetation management monies already available for this type of use and considering the consensus that exists regarding the great financial needs of the agency's road maintenance program, this rider is unnecessary and potentially destructive.

Status: Unchanged as passed by the Full House on 7/14/99 and negotiated by the House-Senate conference committee as 10/18/99.

(12) Sec. 328: Block Restoration of the Kankakee River—would prohibit use of funds made available in the act from being ''used to establish a national wildlife refuge in the Kankakee River watershed in northwestern Indiana and northeastern Illinois.'' The Grand Kankakee Marsh was once one of the largest and most important freshwater wetland ecosystems in North America, providing essential habitat to a spectacular variety of waterfowl, wading birds and other wildlife. Today, however, 95-percent of the Grand Kankakee March has been drained for agriculture and development. The U.S. Fish and Wildlife Service has proposed establishing the Grand Kankakee National Wildlife Refuge along the Kankakee in order to restore and preserve 30,000 acres (less than one-percent of the land within the river basin) of wetlands, oak savannas, and native tallgrass prairies. The proposal is currently undergoing an Environmental Assessment. Although the public overwhelmingly support the proposed refuge, for the second year in a row, certain members of Congress are attempting to derail the proposal by including a legislative rider in the House Interior Appropriations bill.

Status: Unchanged as passed by the Full House on 7/14/99 and negotiated by the House-Senate conference committee as of 10/18/99.

(13) Sec. 329: Undermine Consensus-based River Management—would prohibit Federal resource agencies such as the Fish and Wildlife Service, US Forest Service, National Park Service and others, from participating in the American Heritage Rivers Initiative (AHRI). This voluntary presidential initiative was designed to coordinate the efforts of federal, state, and local agencies with interests in the economic, cultural, and ecological management of our nation's most heralded rivers. AHRI's purpose is to streamline management of river resources and facilitate efficient allocation of federal, state, and local funds. This program explicitly did not include any additional regulations or funding but instead relies on coordination of existing programs, staff, and funding. Last year, ten rivers were selected from around the nation that reflected broad political support. This rider would essentially prohibit these agencies from coordinating with other river managers at a time when citizens are working toward improving local/federal coordination. This would cripple the management funds of the Council on Environmental Quality (CEQ))/Executive Office of the President for the American Rivers Initiative and sent a dangerous precedent for coordinating other environmental cross-agency programs.

Status: Amended but remains objectionable. After being passed by the full Senate on 9/24/99, the provision was amended in conference to allow for ''headquarters or departmental activities'' to be associated for with the AHRI program but still specifically prevents funds from

being transferred or being used to support the management fund at the Council for Environmental Quality (CEQ) for this program.

(14) Sec. 331: Limiting Preparation for Climate Protection—would limit the federal government's ability to address the international implications of climate change and help other countries to reduce greenhouse gas emissions, thereby prolonging the emissions of dangerous carbon dioxide and other global warming pollutants. The rider ignores the United States' existing commitments to reduce emissions under the 1992 Senate-ratified Rio Treaty. Specifically the provision, offered by Representative Joseph Knollenburg (R–MI) in full committee, would prohibit use of federal funds by federal agencies ''to propose or issue rules, regulations, degrees, or orders for the purpose of implementing, or in preparation for the implementation of the Kyoto Protocol.'' Similar language has been inserted in the House versions of the FY 2000 Commerce/State/Justice, Energy and Water, VA–HUD, Agriculture, Foreign Operations, and Interior Appropriations bills.

Status: Unchanged as passed by the full Senate on 9/24/99 and negotiated by the House-Senate conference committee as of 10/18/99.

(15) Sec. 333: Tongass Red Cedar Rider—would continue the failed policy of exporting wood and jobs off the Tongass National Forest by leveraging the amount of Western Red Cedar available for export to the lower 48 and international markets against the percent of the Tongass' allowable sale quantity (ASQ) that is actually sold. Alaska's Western Red Cedar is a valuable export item and has become scarce in the forest as it only grows in the southern Tongass. The remaining old-growth Red Cedar provides important habitat for brown bears and wolves. The rider stipulates that the only way in which interested manufacturers in the lower 48 can have access to all of the surplus Alaska Red Cedar logged in FY 2000 is if the forest's entire allowable sale quantity is sold. Moreover, the rider requires that the sold timber must have at least a 60 percent guaranteed profit margin for the purchaser, continuing to maintain the Tongass's timber program as our National Forest System's largest money loser.

Status: Unchanged as passed by the full Senate on 9/24/99 and negotiated by the House-Senate conference committee as of 10/18/99.

(16) Sec. 334: Undermine Science-based Management of National Forest and Bureau of Land Management Lands—would attempt to provide the Secretaries of Agriculture and Interior broad discretion during FY 2000 to choose whether or not to collect any new, and potentially significant, information concerning wildlife resources on the National Forest System or Bureau of Land Management Lands prior to amending or revising resource management plans, issuing leases, or otherwise authorizing or undertaking management activities. This section (formerly ''Section 329'') seeks to overturn a February 18, 1999 decision by the United States Court of Appeals for the Eleventh Circuit that the Chattahoochee National Forest in Georgia had violated the law by not maintaining population data on management indicator species as required under 36 C.F.R. 219.19, or sensitive species as required under its own forest management plan. However, the implications of Section 329 extend far beyond any single national forest. For example, the Forest Service could attempt to use the language of Section 329 to undercut full implementation of, and accountability under, the NW Forest Plan. This section's ''don't ask, don't tell'' approach may invite the Forest Service to take a shortcut around the information collection and analysis required by the plan—undercutting the basis on which Judge Dwyer upheld the plan, as well as recent Ninth Circuit case law. Beyond seeking to undermine existing law, Section 329 directly contradicts the overall direction recommended by the recent findings of the Committee of Scientists for land management planning on national forests. Its attempt to provide agencies the discretion to bypass existing information gathering requirements on wildlife resources prior to making land management planning and activity decisions undermines the very ability to arrive at scientifically credible conservation strategies. Section 329 is not the first ''don't ask, don't tell'' rider offered in an attempt to allow the government to forego the collection and consideration of important scientific information. The 1995 salvage logging rider also adopted this approach in some significant ways with harsh results for government accountability and ultimate credibility.

Status: Amended but remains objectionable. After being passed by the full Senate on 9/24/99, the provision was slightly amended in conference but still seeks to waive the requirement that the USFS and BLM survey for wildlife before authorizing timber sales, grazing permits, and other activities on public lands. The revised language in Section 334 is further exacerbated by a new provision that seeks to grandfather in Northwest Forest Plan timber sales that were illegally authorized without wildlife surveys. Sen. Robb (D–VA) offered an amendment to strike the provision on the Senate floor on 9/9/99. The amendment was defeated by a vote of 45–52.

(17) Sec. 336: Weaken 1872 Mining Law—would weaken the 1872 Mining Law by removing toxic mining waste dumping limitations on federal public land. The rider was attached by Senator Larry Craig (R–ID) in full committee. In the only provision of the 1872 Mining Law that protects the environment and taxpayers, the millsite section states that for every 20-acre mining claim, mining companies are allowed one, and only one, 5-acre mill site for the processing or dumping of mine wastes. Craig's rider would strip the millsite provision entirely, legalizing unlimited mine waste dumping on public lands. The Craig rider represents a sweeping change to the 1872 Mining Law, and in the process it removes the only incentive the mining industry has to seriously negotiate environmental and fiscal reform to one of the most destructive public lands laws on the books.

Status: Amended but remains objectionable. As currently written, the conference language would exempt from the millsite waste dumping limitation: existing mines, expansions to existing mines, grandfathered patent applications and mines proposed before May 1999. It also could be viewed as rescinding Congress's 1960 acknowledgment of the millsite provision as law. On 7/27/99, Senators Patty Murray (D–WA), Richard Durbin (D–IL), and John Kerry (D–MA) offered a floor amendment to strike this rider. That amendment was tabled (i.e., rejected) by a vote of 55–41 and the rider was retained. Additionally, Nick Rahall (D–WV), Christopher Shays (R–CT), and Jay Inslee (D–WA) offered an amendment to the House Interior Appropriations bill (H.R. 2466) on 7/14/99 to prevent the unlimited dumping of toxic mining wastes on public lands. The amendment, which passed on the House floor by a vote of 273–151, and was followed by a successful motion to instruct the house conferees to keep the Rahall language, directly contradicted the Senate provision which would eliminate the millsite provision of the 1872 Mining Law. Despite these votes, the House capitulated to the Senate in conference.

(18) Sec. 341: Stewardship and End Result Contracting Demonstration Project—would permit the Forest Service to contract with private entities to perform services to achieve land management goals in national forests in Idaho and Montana, and in the Umatilla National Forest in Oregon. A similar provision was inserted and passed as part of the FY 1999 Interior Appropriations bill. Land management goals include a variety of activities such as restoration of wildlife and fish habitat, noncommercial cutting or removal of trees to reduce fire hazards, and control of exotic weeds. While the stated land management goals, provision for multi-year contracts, and annual reporting requirements are worthy, there are three major drawbacks contained in the language of the FY 1999 law: undefined community roles, the lack of provisions for monitoring and oversight, and the funding mechanism for desired work. This provision was added at the request of Senator Conrad Burns in Subcommittee.

Status: Amended but remains objectionable. After being passed by the full Senate on 9/24/99, the provision was amended in conference but does not substantially address the concerns articulated above.

(19) Sec. 343: Delay Critical Land Acquisition—would significantly compromise the public land acquisition process in the Columbia River Gorge National Scenic Area and would establish a dangerous precedent for land protection elsewhere. This provision would require duplicative appraisals for leach land purchase and add unnecessary bureaucracy, delays, and complexity to the process. Moreover, it would foster an unjustified presumption that the existing land valuation process is flawed, creating a basis of hostility and antagonism likely to frustrate willing-seller negotiations. As a result, this extreme departure from longstanding acquisition policies would be a substantial impediment to continued conservation in the Columbia Gorge and would set the stage for similarly unproductive ''reforms'' in other conservation areas.

Status: Amended but remains objectionable. After being passed by the full Senate on 9/24/99, the provision was amended in conference to but does not substantively address the concerns articulated above.

(20) Sec. 346: Effectively Waives NEPA requirements for Interstate 90 Land Exchange (WA)—would require the Secretary of Agriculture to complete a land exchange in Washington State with Plum Creek Timber Company within 30 days. Such mandate could circumvent the National Environmental Policy Act's public participation and environmental review requirements. The proposal to give Plum Creek the Watch Mountain roadless area and old growth groves in Fossil Creek (both now parts of the Gifford Pinchot National Forest) has sparked significant opposition. The rider could cut short full consideration of the public's concerns and block judicial review of the adequacy of the environmental analysis that has been done. The rider also orders the Forest Service to identify further lands to be traded to Plum Creek.

Status: Unchanged as passed by the full Senate on 9/24/99 and reported from the House-Senate conference committee. This provision was originally inserted into the bill as part of a managers amendment on the Senate floor on 9/14/99 on behalf of Sen. Slade Gorton (R–WA).

(21) Sec. 350: Prevent Grizzly Bear Reintroduction—would be disastrous for grizzly bear recovery and sets a very dangerous legislative precedent. This language prohibits the Department of the Interior and all other federal agencies from expending funds in any fiscal year to introduce grizzly bears anywhere in Idaho and Montana without express written consent of the governors of those two states. The language requires federal agencies to get state permission to implement a *federal law on federal lands* and sets a

broad precedent, both for other endangered species recovery actions and for all other federal laws. Moreover, this provision would derail a five-year collaborative effort initiated by local timber, conservation, and labor interests to restore grizzly bears to the Selway-Bitterroot ecosystem in Idaho and Montana, the largest roadless area remaining in the lower forty-eight states. This reintroduction is vital to grizzly bear recovery in the lower forty-eight states. Finally, both Idaho and Montana have existing populations of grizzly bears outside the Selway-Bitterroot ecosystem. This restrictive language is so unclear and broad that it could prohibit actions such as population augmentations or the movement of problem bears within existing recovery populations (e.g. Glacier and Yellowstone National Parks).

Status: Unchanged as passed by the full Senate on 9/24/99 and negotiated by the House-Senate conference committee as of 10/18/99. On 7/27/99, this provision was stricken from the Senate bill in order to comply with Senate Rule XVI, which was reinstated after a four-year suspension by a Senate floor vote of 53–45 one day earlier. Rule XVI restricts the addition of unrelated policy riders to appropriation bills on the Senate Floor. However, on 9/14/99 Sen. Burns (R–MT) and Sen. Craig (R–ID) successfully re-offered the provision which still prohibits funds for the physical relocation of grizzly bears into the Selway-Bitterroot ecosystem, but limits the prohibition to fiscal year FY2000. Although amended, the provision remains objectionable.

(22) *Sec. 355: Delays Improvements to White River Forest Plan*—would further delay the revision of the forest plan for Colorado's White River National Forest by extending the comment period on the revised plan for another three months. The Forest Service has already granted a 90-day extension making the comment period six-months long more than ample time for all interests to make their views known. This forest is one of the most popular national forests in the country, containing the world-famous Maroon-Snowmass Wilderness along with Vail, Aspen and several other ski areas. In its draft management plan, the Forest Service has proposed for the first time trying to better manage rampant recreation by limiting it to its current levels to the outrage of the motorized recreation and ski industries. The rider is a thinly veiled attempt to delay the new forest plan until the next Administration in hopes of permanently sandbagging any attempts by the Forest Service to rein in corporate ski area expansions and rampant off-road vehicle use.

Status: Unchanged as negotiated by the House-Senate conference committee as of 10/18/99. This provision was added in conference by Senator Ben Nighthorse Campbell (R–CO).

(23) *Sec. 357: Blocks Stronger Hardrock Mining Environmental Regulations*—would further delay the Department of Interior's attempt to strengthen environmental controls applicable to hard rock mines (the so-called ''3809 regulations''). Specifically, the rider would extend the moratorium on stronger hardrock mining regulations through the end of fiscal year 2000.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. GOSS), the vice chairman of the Committee on Rules.

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

Mr. GOSS. Mr. Speaker, I thank my friend, the gentleman from Washington (Mr. HASTINGS), for yielding me this time.

Mr. Speaker, I rise in support of the rule and the Interior conference report, and I wanted particularly to commend the Committee on Appropriations, particularly the gentleman from Florida (Mr. YOUNG) and the gentleman from Ohio (Mr. REGULA), for including funding increases in areas such as the Park Service and the wildlife refuge system, particularly in this difficult year.

This bill is critically important to my home State of Florida. It is not just my home State. It is the destination of many visitors as well. Since it serves as the main vehicle for Everglades restoration funding, I am pleased that this year as in past years the committee has made sure that Congress continues to lead the charge in restoring the Everglades, unquestionably a unique national treasure which gives great enjoyment to a great many people.

In addition, I am grateful that the committee was able to make available land acquisition fund for the J.N. Ding Darling National Wildlife Refuge which happens to be in my district and in fact comprises about 50 percent of my hometown of Sanibel, another area that is enjoyed by literally millions of visitors.

Some of my colleagues have expressed some concern about certain riders in this conference report before us. I know that I generally share the opinion of my colleagues on the Committee on Appropriations when I say these issues really are best handled through the authorization process, which is why we have authorizers and authorizing committees.

Of course, as my good friend, the gentleman from Ohio (Mr. REGULA), is well aware, however, that since 1983 Florida has benefited from a legislative rider on this bill that protects our coastal areas from offshore oil and gas drilling. We have been trying to deal with the issue in the authorization committee, but so far we have been unable to get the job done so I want to express my appreciation and I think the appreciation of the full Florida delegation that the committee has once again included this stop-gap rider to protect Florida offshore waters from oil and gas drilling, which is a position our State holds very strongly and some other States do as well.

I urge my colleagues to support this rule, which is fair and traditional for this type of legislation. I urge them to consider the conference report carefully and support it, because it is a compromise conference report; but I believe it is a very good one under the circumstances.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in strong opposition to this conference report. This legislation defies the will of the American people by severely underfunding our national effort to protect and preserve the national lands and because it contains anti-environmental riders that interfere with the proper management of the public's resources.

This report drastically underfunds the President's land legacy initiative that is designed to protect the endangered lands and resources that are threatened by development. It is ironic that this legislation should take such an extreme and anti-environmental position on such an issue at a time when we are working mightily to fashion on a bipartisan basis a resource initiative.

Throughout this country, hundreds of thousands of people from soccer moms to sporting goods manufacturers, from environmentalists to hunters to park professionals to inner-city police organizations have come together to reach and support legislation that would expand, not constrict as this legislation does, the amount of investment we in Congress would make with the resources of this country.

The President requested $413 million for his land legacy and the land water conservation fund for the year 2000. The conference report provided less than $250 million. The administration sought $4 million for urban parks programs. The conference report provided half of that amount of money. We have to understand that the people of this country want these resources protected. They want the opportunities expanded. Ninety-four percent of all Americans support more funding for the land and water conservation fund. That is a Republican pollster taking that poll. Eighty-eight percent of the American people agree we must act now or we will lose these special places.

This bill does not act now, and it does so in the riders. In the riders it continues to give away public land for the mining companies to dispose of their waste and their toxic waste on these lands, and it overrides the limitations in the 1872 mining law; but they will not override those limitations to try to get the American people the royalties and rents for the use of those public lands.

This land also continues to allow the oil companies to underpay the royalties that my colleague, the gentlewoman from New York (Mrs. MALONEY), has worked so hard on. This continues to let them underpay $60 million in royalties that they owe the people of this country, $6 million in the State of California that goes to the education system in our State for young people.

This report continues to let the oil companies have a royalty holiday on lands that they drill oil from, that they take from the American people, and they underpay the resources. That should not be allowed to continue.

This bill also fails to provide the kind of support that is necessary so the Indian tribes of this Nation can continue to take over the functioning of those programs where the Government acted on their behalf in a most paternal manner, that the Indians can now

run those programs of the Indian health service from the Bureau of Indian Affairs, and they can do it more efficiently. They do it with greater enrollment and greater care for the members of their tribes, and yet this legislation does not speak to those in a proper manner.

This legislation is bad for the environment. It is bad for the taxpayers. It is bad for school children. It is bad for the public that supports our parks and public lands, and we ought to reject it.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 5 minutes to the gentleman from Washington (Mr. NETHERCUTT).

Mr. NETHERCUTT. Mr. Speaker, I thank the gentleman from Washington (Mr. HASTINGS) for yielding time to me.

Mr. Speaker, I am proud to serve as a member of the Committee on Appropriations and the Subcommittee on Interior and was part of the conference committee that worked so hard with the gentleman from Ohio (Mr. REGULA), a tremendous chairman in this case, trying to craft a measure that would be balanced and sensible under the limitations that we have funding-wise.

We worked hard in the conference committee with Senator GORTON, our colleague from Washington State in the other body, who worked very hard on behalf of the Senate to try to craft a measure that makes some sense.

What I have heard the speakers on the other side say in the last 15 minutes or so defies reality; it defies logic. On the one hand, they say this bill is inadequate and they want to spend more money. On the other hand, the gentleman from Wisconsin (Mr. OBEY) says we are spending too much money in this bill; that we are over our allocation.

Well, the lands legacy program that the gentleman from California (Mr. GEORGE MILLER), the gentleman just spoke of, is $413 million.

My point is, they want to spend more money and they want to frustrate this bill. They do not want this conference report to pass under any circumstance because they know that if it passes and goes down and the President has to address the issue of whether it is adequate, then they are going to have a problem because they want this to go in an omnibus bill. They do not want to have any allocation made on the merits of this particular bill.

One had to be there, Mr. Speaker, to understand the diligence that went into trying to craft this measure and have it be acceptable. We are $77 million over last year on the National Parks Service. We are $50 million over the Bureau of Land Management for last year. We are $55 million more for the U.S. Fish and Wildlife Service; the Indian Health Service, $2.4 billion, a $130 million increase. When is enough enough?

We are trying to balance this bill, meet the objections of the other body, meet the objections of our colleagues on the other side of the aisle, and also their preferences. So I must say, with respect to the mining issue and the patent issue, what we tried to do was have agreement between the two sides on the issue and come up with something that is acceptable to both as best we could.

Was it perfect? Is it a perfect bill? Certainly not, but my goodness let us be reasonable in adopting this rule, moving this process along, not frustrating it and waiting until the end so that then we are down to the White House with millions and millions in more dollars in the final package. That is not acceptable.

So I must say, I think the objectors in this case are not thinking it through carefully in terms of what is good for this country and what is good in this bill. It is a good bill. It is a bill that was crafted by a very diligent chairman in conference committee on both sides of the aisle and both sides of the Capitol.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. NETHERCUTT. I yield to the gentleman from Wisconsin.

Mr. OBEY. Let me say the gentleman has misconstrued what I said. I did not say that this bill had spent too much money. What I said was under the rules of the House, the rules prohibit this bill from being considered at this point because it exceeds the budget ceiling that the gentleman's party assigned to the subcommittee; and, therefore, under those circumstances a vote for this rule is a vote to exceed the ceiling that the gentleman's party itself imposed. What we are suggesting is that that needs to be fixed and a lot of other things need to be fixed, and the only way to do that is to sit down and fix it, rather than send a bill to the President that we know is dead on arrival.

Mr. NETHERCUTT. Reclaiming my time, I appreciate yielding to the gentleman but these ceilings are adjustable and the gentleman realizes that, I believe, that they are adjustable. They have to be adjustable based on our conditions.

Mr. OBEY. They sure are.

Mr. NETHERCUTT. That is the nature of this process, it is, and the bottom line, though, with regard to those who object is that they want to spend millions and millions and millions of dollars more. That is really what is happening here. I guarantee if we do not pass this bill and send it down to the President and let him make his judgment as he should under the Constitution, either veto it or sign it and then tell us why he has vetoed it, if he will, then we are going to be in an omnibus and all of those of us who care deeply about preserving Social Security and all of those on the other side of the aisle who profess that they do are going to be breaching their own commitment to that goal.

So I urge my colleagues, vote for this rule. Vote for this bill. Support the conference committee's best efforts to make this work and let us get the President to either accept or reject that under the Constitution, which is his obligation.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks, and include extraneous material.)

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding me this time.

Mr. Speaker, I rise in opposition to the rule and to the underlying bill. I would say to my friend on the other side of the aisle, who says that we want to spend more money. Actually we are trying to save money. One of the terrible, anti-environmental riders is also very anti-taxpayer. It is an undisputed fact that the oil rider that is attached costs the American taxpayer $66 million a year. This is money that could go to education, to our schools.

We just had a bill on the floor where people talked about the need for more money for education. This is where we could save some money, where we could save some money by doing what is right. I would just like to say that what basically has happened is for decades the oil companies have underpaid the Government for oil extracted from federally owned lands. They got caught by the Department of Justice, by the Department of Interior, and I would say by the Subcommittee on Government Management, Information, and Technology headed by the gentleman from California (Mr. HORN), who held many hearings on the underpayment of oil royalties, the royalty holiday of the oil companies stealing money from the American taxpayer.

They had to pay $5 billion in penalties for what they ripped off in the past.

So what we have before us is a number of anti-environmental riders that are terribly unacceptable. I must say that the gentleman from Washington (Mr. DICKS), who is the ranking member, and the gentleman from Ohio (Mr. REGULA) did a wonderful job keeping them off of the House version, but we need to keep them off the conference report, too. So I hope that my friends on the other side of the aisle will join us in voting against this rule, against the unacceptable oil riders and other riders that hurt the environment, that steal money from the taxpayers that could be going to education. It is just a bad bill. We need to stand up for America's schools, for the American taxpayers, and stand up against the anti-environmental rip-off and oppose this conference report.

□ 1630

There is no reason why we should continue paying big oil companies $66 million that they do not deserve, because they pay themselves market price. But when it comes to paying American schoolteachers and the government for federally owned land, they

underpay to the tune of $66 million a year. It is wrong. It is terribly wrong.

If my colleagues are fiscally conservative, vote against this bill just on the oil rider alone.

Mr. Speaker I rise in strong opposition to this conference report.

Because it contains an unacceptable rider, that will let big oil companies, continue to steal money from our nation's schoolchildren, to fatten their own wallets.

Mr. Speaker, these oil companies, have been caught cheating, on the royalty payments they owe, for drilling oil on federal land.

Royalty payments, that benefit our schools, our environment, and the American taxpayer.

As a result, they have to pay almost five billion dollars in settlements.

But now, every time that the Interior Department has tried to fix the rules so that they pay the money they owe.

The supporters of big oil, have come to this Congress, and blocked them from doing it.

This time, they were a little more creative, they decided to delay the rules until the General Accounting Office, can audit Interior's rulemaking process.

But we all know, that this is just another delay, designed to get us to the next must-pass appropriations bill, when they'll attach another rider, so we can start this process all over again.

In fact, Mr. Speaker, GAO has already issued a report on Interior's rulemaking process, and found that Interior has been extremely thorough, and gone out of its way to respond to the comments of the oil industry.

Mr. Speaker, I listened yesterday as my colleagues on the other side of the aisle promised to do everything they could, to save every penny in the social security trust fund.

So I cannot understand why when we're cutting the COPS program: Cutting the NEA; cutting the Land and Water Conservation Fund; When we're cutting all these vital programs—we're telling deadbeat oil companies, that owe the American taxpayer millions. ''It's OK—we really don't need the money.''

Mr. Speaker, this is absurd and illogical.

I urge my colleagues to stand up for the American taxpayer.

Stand up for America's schools. Stand up against this anti-environmental rip-off. And oppose this conference report.

Mr. Speaker, I include for the RECORD the following documents:

[From the New York Times, Sept. 27, 1999]

THE SENATE'S OILY DEAL

Though it was little noticed at the time, a donnybrook over Senate rules last week illustrated the outsized role of special interests in government. The issue was a money grab by oil businesses, which want to lower the royalties they have to pay the Government for drilling on Federal land. When Senator Russell Feingold of Wisconsin tried to block an amendment that would let them keep their royalty payments artificially low and pointed out that oil-sector campaign donations were calling the shots, several senators objected. Their reason? Mr. Feingold's recitation of campaign donations was not ''germane'' and therefore not allowed during the debate.

How quaint of the senators to disparage the germaneness of campaign contributions. In fact, nothing could be more relevant than the power of donors to call the tune in Congress. Fortunately, Mr. Feingold was allowed to continue, in spite of complaints from Senator Kay Bailey Hutchison of Texas, the amendment's sponsor, and Senator Craig Thomas of Wyoming. Unfortunately, the measure passed. The bill to which it is attached contains objectionable anti-environmental features, and President Clinton should veto it.

It is perverse for the Senate to cut school aid, housing and other domestic programs on the ground that the budget needs to be balanced, and then to cut revenues even more by handing out a big break to oil companies. Mr. Feingold, in raising the campaign reform issue, knew that simply pointing out what everyone knows is true would be embarrassing. If embarrassment moves the senators to act, it should be not to stop someone from telling the truth, but to pass the ban on unlimited ''soft money'' to parties sponsored by Mr. Feingold and John McCain of Arizona.

Mr. Feingold likes to point out that he is an heir to the Senate seat of Robert La Follette, the progressive hero of nearly a century ago, who used to ''call the roll'' of railroads and other big donors who got their way in government. La Follette's ability to embarrass his colleagues led eventually to the ban on corporate donations to individual candidates of 1907, a ban that is now being undone by the ''soft money'' scam whereby the money is given to parties, not candidates. Mr. Feingold's ''Calling of the Bankroll'' has pointed out how health insurance donors influenced legislation governing health-maintenance organizations, how the tax-cut bill got packed with treats for businesses, and how big donations by Chevron, Atlantic Richfield and BP Amoco led to the break on oil royalties.

This season of Republican-touted budget restraint was enlivened by the influence of a different special interest in the defense area. Trent Lott, the majority leader, wants a half billion dollars to start building a ship, the LHD–8. The Navy says it does not need the money or the ship, Naturally, the Senate has approved the money. Not all spending restraint is healthy, at least to some senators. Perhaps it is germane to point out that the ship would built at a shipyard in Mr. Lott's home state of Mississippi.

Oil royalty settlements, July, 1999

Alaska	$3,700,000,000
California	345,000,000
Louisiana	250,000,000
Private owners	180,000,000
Federal Governments	45,000,000
Texas	30,000,000
Alabama	15,000,000
New Mexico	7,000,000
Florida	2,000,000
Total	4,600,000,000

Note: This list includes financial settlements from oil royalty valuation lawsuits and government investigations. Figures may include taxes paid to state governments resulting from the settlements.

BACKGROUND MATERIAL ON THE BIG-OIL RIDER

PREPARED BY THE OFFICE OF REP. CAROLYN MALONEY

The current Senate version of the Interior Appropriations Bill contains a rider that would prohibit the Department of the Interior's Minerals Management Service (MMS) from implementing its new oil-valuation rule. The rule governs the royalty payments made by private oil companies that drill oil on federal land.

All companies that drill on federal land are required to pay the government a royalty—generally 12.5 percent of the value of the oil—to the taxpayer. Money from royalty payments helps to fund the Land and Water Conservation Fund, the Historic Preservation Fund, and the U.S. Treasury. In addition, states and Indian tribes received a share of the royalty payments. Many states, including California, put the money directly into their public school system.

For decades, states and independent observers have accused oil companies of deliberately undervaluing their oil in an effort to reduce their royalty payments. As a result, several states and private royalty owners have filed suit against several major companies, and have collected over five billion dollars in settlements to date. The Justice Department recently decided to sue several companies for underpayment of federal royalty payments; one company has already settled, and several others are rumored to be nearing settlements.

MMS has attempted to fix this problem permanently by introducing a new rule which will link royalty payments with the fair market value of the oil. It is estimated that the new rule will save taxpayers at least $66 million per year. Furthermore, MMS estimates that the new rule will impact only 5 percent of all oil companies—primarily large, integrated companies. Ninety-five percent of companies, including all independent producers, will not be affected.

On three separate occasions, oil-industry allies in the Senate have attached rides to must-pass appropriations measures to block the new rule. The current rider expires at the end of this fiscal year, and oil industry supporters, led by Senator KAY BAILEY HUTCHISON (R–TX) attached a rider to the Senate Interior Appropriations Bill that would extend it until October 1, 2000. The rider passed on a narrow 51–47, after supporters barely mustered the 60 votes to beat a filibuster led by Senator BARBARA BOXER (D–CA).

Attachments: Editorial dated 9/27/99 from the New York Times, Editorial dated 9/15/99 from the Washington Post, New York Times article from 9/21/99, Floor Statement by Congresswoman MALONEY, Press Release from Congresswoman MALONEY, Recent settlements against the oil industry for underpayment for royalties, Letter to the President from Congresswoman MALONEY and Senator BOXER, Disbursement of Royalty Revenues, 1982–1998.

BUDGET VALUES

To stay within spending limits, most House Republicans and some Democrats voted last week to squeeze federal housing programs for the poor. This week House Republican leaders acknowledged they were considering deferring billions of dollars in income support payments to lower-income working families as well. But congressional zeal in behalf of budget savings appears to extend only so far.

The Senate currently faces the question of ending what amounts to income support, not for low-income families but for oil companies. The Interior Department would require the companies to begin paying royalties based on the open market value of oil and gas extracted from the federal domain. Sen. Kay Bailey Hutchison has an amendment to the Interior appropriations bill that would allow them in many cases to continue to pay less. On a test vote Monday, she was able to marshal 55 of the 60 votes she needs to cut off debate and put the amendment in place. The remaining votes are said to be at hand: all 54 Senate Republicans, the lone independent, former Republican Bob Smith, and five wayward Democrats.

In the end, it is well understood that Congress will breach the spending limits, which are artificially tight. In the meantime, we have pretense to the contrary. But even the pretense produces winners and losers. Oil

wins, poor people lose; those are the values of this Congress.

The spending caps represent no one's idea of the true cost of government. They were set in the 1997 budget deal between the president and congressional Republicans to make it appear that the politicians could, too, balance the budget while granting a tax cut. Now it's time to adhere to them, and there aren't the votes. Nor should there be, given the long-term damage that adherence would do. The question isn't whether they'll be exceeded but by how much, how honestly, and who will bear the blame.

To avoid the appearance of breaching them, Congress has been using all manner of gimmicks. Ordinary expenditures for such things as the census and defense have been classified as emergencies, because under the budget rules, emergencies don't count. Various devices have likewise been used to alter not the amount of spending but the timing of it, to move it out of next fiscal year. That's what the House leadership is contemplating with regard to the earned income tax credit, which provides what amount to wage supplements to the working poor. They should be the last victims of budget-cutting, not the first.

A third device has been to avoid deep cuts in the smaller domestic appropriations bills by ''borrowing'' funds from the larger final ones, for veterans' affairs, housing, labor, health and human services and education. But that has merely concentrated the problem, not solved it. Meanwhile, the housing programs are essentially frozen in a period in which the general prosperity masks increasing need.

The president and Congress knew the appropriations caps they set in 1997 were unlikely ever to be met. The caps were set for show; they were an official lie to which both parties put their names, and from which they continue to try to extricate themselves. The projected surplus in other than Social Security funds over which they have been fighting all year—the one Republicans would use to finance their about-to-be-vetoed tax cut—exists only if you assume that most domestic spending will be cut by more than a fifth in real terms, as the caps require. But the votes don't exist for even the first of these cuts, much less the full mowing; nor is it just Democrats who are turning away. They're living a lie, both parties; that's the reason for the gimmicks. Only the oil subsidy seems unaffected. Are there really no Republicans in the Senate who think it wrong?

[From the New York Times, Sept. 21, 1999]

BATTLE WAGED IN THE SENATE OVER ROYALTIES ON OIL FIRMS

(By Tim Weiner)

Oil companies drilling on Federal land have been accused of habitually underpaying royalties they owe the Government. Challenged in court, they have settled lawsuits, agreeing to pay $5 billion.

The Interior Department wants to rectify the situation by making the companies pay royalties based on the market price of the oil, instead of on a lower price set by the oil companies themselves.

A simple issue? Not in the United States Senate. Instead, it has become a textbook example of how Washington works. The battle over royalties shows how a senator can use legislation to right a wrong, in the view of Senator Kay Bailey Hutchison, a Texas Republican who is blocking the Interior regulations. Or it shows how Congress does favors for special interests, in the view of Senator Hutchison's opponents.

The issue could come to a vote this week, and it appears as if the Senate might side with the oil companies.

Senator Hutchison, who has received $1.2 million in contributions from oil companies in the last five years, has been winning the battle to block the pricing regulations since the Interior Department imposed them in 1995. The department estimates that oil companies are saving about $5 million a month, money that would otherwise be flowing to education, environmental programs and other projects.

Senator Hutchison calls the regulations a breach of contract and an unfair tax increase. She says she represents ''the overwhelming majority of the Senate who want to do the right thing, who want fair taxation of our oil and gas industry.''

For 4 years, she has placed amendments and riders into annual spending bills to keep the Interior Department regulations from taking effect. To do otherwise, she argues, would be ''to let unelected bureaucrats make decisions that will affect our economy.''

Senator Hutchison's chief antagonist has been Senator Barbara Boxer, a California Democrat who has condemned the underpaying of royalties as a scheme intended to ''rob this Treasury of millions and millions of dollars.''

''We shouldn't have a double standard just because an oil company is powerful, just because an oil company can give millions of dollars in contributions,'' Senator Boxer said.

The Senate has never actually voted on Senator Hutchison's measure. It has been inserted into must-pass spending bills that provide a perfect vehicle for controversial measures that might attract public notice if they were openly debated.

This year, however, the Senate decided it would stop attaching such riders to appropriations bills. Now the Hutchison amendment has turned into a running battle on the Senate floor.

The Interior Department first proposed the regulations in December 1995, nearly 10 years after the State of California first began to suspect that energy companies were underpaying the royalties they owed on oil pumped from Federal and State land. The royalty is 12.5 percent for onshore drilling and 16.67 percent for offshore production.

For the industry's giants, the royalties are a small fraction of earnings. For the Exxon Corporation, they represent about one-eighth of 1 percent of company revenues. According to Interior Department figures, the new regulations would cost Exxon $8 million, an additional one-hundredth of a percent of revenues.

The money goes to the Treasury, which sends it to environmental and historic-preservation projects, and to 24 states, many of which use the money on education.

But instead of basing their royalties on the actual market price of oil, the energy companies have been using a price they set that has run as much as $4 a barrel less than the market price.

According to the sworn testimony of a retired Atlantic Richfield executive in a California lawsuit in July, the policy of his company and others was to pay royalties based on a price ''at least four or five dollars below what we accepted as the fair market value.'' The retired executive, Harry Anderson, said his company's senior executives had decided ''they would take the money, accrue for the day of judgment, and that's what we did.''

The testimony was first reported by Platt's Oilgram News, a trade publication.

This practice allowed 18 oil companies, including Shell, Exxon, Chevron, Texaco and Mobil Oil, to avoid paying royalties of about $66 million a year, according to Interior Department figures published in the Congressional Record.

Sued by state governments, and now under investigation by the Justice Department, most of the major oil companies have signed settlements totaling about $5 billion with seven states.

But Ms. Hutchison says forcing the companies to pay royalties based of the true market price of oil amounts to an unfair tax increase.

''They are breaking a contract and saying: 'We are going to raise your taxes,'" she argued on the Senate floor this week.

''If we allow that to happen, who will be next?'' the Senator asked. ''Who is the next person who is going to have a contract and have the price increased in the middle of the contract? Contract rights are part of the basis of the rule of law in this country, and we seem to blithely going over it.''

If the Hutchison amendment comes to a vote—and it might this week—it appears likely to pass, with support from almost all the Senate's 55 Republicans and a few oil-state Democrats.

If the Senate lets the regulations take effect, says Senator Frank Murkowski, an Alaska Republican who supports the amendment, the message will be clear: ''We will be saying, 'Go ahead. Raise royalties and taxes. We, the U.S. Senate, yield our power.'"

HTTP://WWW.NYTIMES.COM

Graphic: Photos: Senator Kay Bailey Hutchison, left (Stephen Crowley/The New York Times), is seeking to protect companies that drill on Federal land. Senator Barbara Boxer says they are underpaying. (Ed Carreon for The New York Times)

REMARKS OF THE HONORABLE CAROLYN B. MALONEY ON THE BIG-OIL RIDER IN THE INTERIOR APPROPRIATIONS BILL—JULY 13, 1999

I rise today in support of this legislation. I would like to applaud the Appropriations Committee for wisely rejecting efforts to load this bill up with controversial anti-environmental riders. Unfortunately, the version of this bill passed by the Appropriations Committee in the other body contains numerous riders that would never pass on their own and have no place in this legislation.

One of these riders, in particular, robs the American taxpayer of over 66 million dollars per year. this rider would permit big oil companies to continue to underpay the royalties they owe to the Federal Government, States and Indian tribes, cheating taxpayers of millions of dollars. It would do this by blocking the Interior Department from implementing a new rule which would require big oil companies to pay royalties to the Federal Government based on the market value of the oil they produce.

Earlier this year, I released a report demonstrating how these companies have cheated the American taxpayer of literally billions of dollars of the past several decades. They do this by complex trading devices which mask the real value of the oil they produce. By undervaluing their oil, these companies can avoid paying the full royalty payments they own.

The Justice Department investigated these practices and decided that they were so egregious that it filed suit against several major companies for violating the False Claims Act. As a result, one company decided to settle with the government, and paid 45 million dollars. Numerous other companies have settled similar claims brought by states and private royalty owners for millions—and in one case billions—of dollars.

Mr. Chairman, the rule that the Interior Department is proposing is simple. It requires that oil companies pay royalties based on the fair market value of the oil they produce. But these oil companies that have been cheating the American taxpayer for years are now trying to block the Interior Department from implementing a new rule, using every excuse imaginable.

Mr. Chairman, this rider robs money from our schools, our environment, and our states and Indian tribes. It does this to benefit the most-narrow special interest imaginable—big oil companies with billions of dollars in profits.

I applaud the Appropriations Committee for leaving this issue to the experts at the Interior Department, and I call on my colleagues to reject these efforts to benefit big oil at the expense of the American taxpayer.

MALONEY EXPOSES OIL COMPANY FRAUD

ALLEGATIONS TO BE DISCUSSED AT HEARING TODAY

Congresswoman CAROLYN B. MALONEY (NY–14) today released a report exposing how several major oil companies have defrauded the U.S. government of millions of dollars by undervaluing oil produced on federal land for royalty purposes.

''This report confirms what we knew all along,'' said MALONEY. ''It proves that big oil companies have stolen money from our nation's taxpayers, our schools, and our environment, only to fatten their own bottom line.''

These allegations, along with the Interior Department's efforts to make oil companies pay the money they owe, will be discussed at a hearing held today by the Government Reform Committee's Subcommittee on Government Management, Information and Technology. The hearing will be held at 2:00 p.m., in room 2247 of the Rayburn House Office Building.

Under federal law, all companies which drill oil on federal and state land are required to pay a royalty based on the value of the oil they produce (generally from 12.5% to 16%). Big oil companies under report the value of the oil they produce, thus allowing them to pay less in royalties than they owe. It is estimated that this scam costs taxpayers between $66 million and $100 million each year.

In 1974, the State of California and the City of Long Beach sued several major oil companies for underpayment of oil royalties. This report is based on an exhaustive analysis of material obtained by Congresswoman MALONEY from the Long Beach litigation. Representative MALONEY requested the material in her role as Ranking Member of the Subcommittee on Government Management, Information and Technology, a post she held during the 105th Congress. Most of the documents date from the 1980's and cover a wide variety of trading practices. None of the information contained in the report is proprietary or could be damaging in any way to any individual company.

Congresswoman MALONEY has repeatedly pressured the Department of the Interior's Minerals Management Service (MMS), as well as the Justice Department, to expose the fraudulent practices of many major oil companies. This report is the first comprehensive analysis of internal company documents that reveals exactly how major oil companies engaged in suspect trading practices to reduce the amount of royalties.

The report reaches the following conclusions:

Companies regularly traded California crude oil with each other at one price—the market price—and reported royalties based on another (called ''posted prices'') which were lower than market. As a result, they paid less in royalty than required under the law.

Companies were aware that market prices were actually much higher than posted prices.

Companies used complex trading devices to conceal the fact that posted prices were often well below the true market price of the oil. These included:

Inflating transportation costs, which are then deducted from the sale price of the crude oil to lead to a royalty basis which is far below market value.

Engaging in ''overall balancing arrangements'' between companies to sell each other undervalued crude. These arrangements are complex trading schemes in which companies sell each other equivalent amounts of oil at reduced prices in such a way that neither company loses money on the transaction.

Selling oil at prices above posted prices without making any attempt to explain the discrepancy between posted prices and the sale price.

Companies recognized that Alaska North Slope Crude Oil (ANS) is traded at prices much higher than California posted prices, even when adjusted for relative quality. As a result, they considered California oil a bargain.

The ability of the major oil companies to trade at prices below actual value reveal that the California oil market in the 1980's was dominated by a few major players with substantial market power. This situation can only get worse in the wake of the recent wave of oil mergers, as the recent rise in California gas prices demonstrates.

The totality of this evidence reveals that major oil companies engaged in a deliberate plan to defraud the U.S. government of royalty money it was entitled to under the law.

The report is particularly timely because the Interior Department's Minerals Management Service (MMS), the agency which oversees royalty collection, is attempting to implement a new rule which would require that oil companies pay royalties based on the fair market value of the oil they produce, however, the Supplemental Appropriations Bill, which passed the House last night, contains a rider added at the request of big oil companies which prohibits implementation of the new rule prior to October 1, 1999.

Copies of the report can be obtained by contacting the office of Congresswoman CAROLYN MALONEY at (202) 225–7944.

CONGRESS OF THE UNITED STATES,
Washington, DC, October 13, 1999.

THE PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We are writing to urge you to veto any legislation passed by the Congress which prohibits the Interior Department from implementing its proposed oil-valuation rule. If this new rule is blocked, big oil companies will continue to cheat American taxpayers and schoolchildren by deliberately underpaying the royalties they owe.

When oil companies drill on federal land, they are required to pay a royalty to the federal government. A share of this royalty is given to the state, and the remaining money is used by the federal government for the Land and Water Conservation Fund and the Historic Preservation Fund. In many states, including California, the states' share provides much needed funds for public education.

For years, big oil companies have deliberately undervalued the oil produced on federal land in order to avoid royalty payments. To fix this problem, the Interior Department proposed a fair and workable rule that will simply require major oil companies to pay royalties based on the fair market value of the oil.

On three separate occasions, legislative riders included on appropriations bills have prevented the Interior Department from implementing this fair rule. If the supporters of big oil companies are successful again, they will have managed to block implementation of this rule for two and a half years, at a total cost to taxpayers of over one-hundred and fifty million dollars.

We urge you to stand up to this special-interest rider and veto any legislation that would prevent American taxpayers from getting the oil royalties to which they are entitled.

Thank you for your prompt attention to this important issue.

Sincerely,

CAROLYN B. MALONEY,
Member of Congress.
BARBARA BOXER,
United States Senator.

ROYALTY MANAGEMENT PROGRAM

Disbursement of Federal and Indian Mineral Lease Revenues—Fiscal Years 1982–98

[Revenues in Thousands of Dollars]

	Historic Preservation Fund	Land & Water Conservation Fund	Reclamation Fund	Indian Tribes & Allottees	State Share	U.S. Treasury General Fund	Total
1982	$150,000	$825,095	$435,688	$203,000	$609,660	$5,476,020	$7,700,318
1983	150,000	814,693	391,891	169,600	454,359	9,582,227	11,562,770
1984	150,000	789,421	414,868	163,932	542,646	5,848,044	7,908,911
1985	150,000	784,279	415,688	160,479	548,937	4,744,317	6,803,700
1986	150,000	755,224	339,624	122,865	1,390,632	4,983,055	7,741,400
1987	150,000	823,576	265,294	100,499	990,113	4,030,979	6,360,461
1988	150,000	859,761	317,505	125,351	767,621	2,627,721	4,847,959
1989	150,000	862,761	337,865	121,954	480,272	2,006,837	3,959,689
1990	150,000	843,765	353,708	141,086	501,207	2,102,576	4,092,342
1991	150,000	885,000	368,474	164,310	524,207	2,291,085	4,383,076
1992	150,000	887,926	328,081	170,378	500,866	1,624,864	3,662,115
1993	150,000	900,000	366,593	164,385	543,717	1,945,730	4,070,425
1994	150,000	862,208	410,751	172,132	606,510	2,141,755	4,343,356
1995	150,000	896,987	367,284	153,319	553,012	1,541,048	3,661,650
1996	150,000	896,906	350,264	145,791	547,625	2,866,509	4,957,095
1997	150,000	896,979	442,834	196,462	685,554	3,867,865	6,239,694
1998	150,000	896,978	421,149	191,484	656,225	3,663,532	5,979,368
Total	2,550,000	14,482,414	6,327,561	2,667,027	10,903,163	61,344,164	98,274,329

Mr. HASTINGS of Washington. Mr. Speaker, how much time is remaining on both sides?

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Washington (Mr. HASTINGS) has 13½ minutes remaining. The gentlewoman from New York (Ms. SLAUGHTER) has 7 minutes remaining.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 11 minutes to the distinguished gentleman from Ohio (Mr. REGULA), chairman of the Subcommittee on Interior.

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

Mr. REGULA. Mr. Speaker, it has been interesting to listen to this debate, because this bill passed the House by about 380 votes, and a majority of the Members from the other side of the aisle voted for the bill. Essentially, it is the same bill, only with some extra funding in. I will address the issue of the riders. Perhaps we should do that right up front.

Now, we have good riders and bad riders. The good riders are, one cannot drill offshore. Everybody likes that one. The good rider is that patents giving away mining lands are on a moratorium. That is a good rider.

But the riders that were in the Senate, we found objectionable. But in the conference, with the support of the gentleman from Washington (Mr. DICKS) and the gentleman from Wisconsin (Mr. OBEY) and other Members on both sides of the House team, we got those riders modified. Let me take each one in order.

The mill sites question. Basically the responsibility for mine reform rests with this body and not the Solicitor General. I think that the issue of how we deal with mill sites should be resolved by our authorizing committees and by this legislative body. It is a legislative issue. We cannot very well have attorneys, such as the Solicitor, making law; otherwise, we might as well close up shop.

Now, of course I think the Senate provision overturned the Solicitor's opinion indefinitely. That is too long. So we modified it with give and take in the conference. My colleagues have to remember that we have a two-house system here. When we go to conference, and this is a conference report, it has to be worked out. There has to be some degree of compromise and negotiation.

What the conference agreement does is water down the Senate provision. We say that the Solicitor's opinion which, in effect, he is in the mode of writing legislation, cannot impact on existing mining plans. One cannot very well look back. One cannot even legislate ex-post facto, after the fact. So we said one cannot possibly change the rules. A lot of people have made a lot of investments.

We also provide that plans in operation submitted prior to May 21, 1999, are exempt. We went back as far as we thought was appropriate, and patent applications grandfathered pursuant to the current patent application moratorium in place since 1995, at this time this committee, under the leadership on our side of the aisle and support from the minority, did put in a moratorium on patents. So it is substantially less. Keep in mind this is a 1-year bill.

Oil valuation. The gentlewoman from New York (Mrs. MALONEY) just talked about that. The Senate included a provision prohibiting the Minerals Management Service from implementing a new rule on oil valuation throughout the year 2000. We said that is too long. There is a problem here that needs to be addressed.

So the conference agreement prohibits the rule from being implemented for a period not to exceed 6 months or until the comptroller general, that is GAO, reviews the proposed regulation and issues a report. Let us get the expert opinion from the GAO. This is a nonpartisan group. They can give us an unbiased opinion. We say it can only be in place 6 months or until we get the GAO report, and then we need to address it legislatively. That is our responsibility.

The grazing issue. The Senate included a provision which would have extended all expired Bureau of Land Management grazing permits based on existing terms and conditions. These permits are currently for 10-year periods. What did the conference agreement do? It continues a 1-year provision similar to the last year's law, similar to what we had last year. This provision clearly states that the authority of the Secretary of Interior to alter, modify, or reject permit renewals following completion of all required environmental analyses is not altered.

We have also included additional funding for the BLM to accelerate the processing of these permits. We said, let us get on with the job. We know that there has to be an EIS on every permit. Under the conference compromise worked out by both parties, the agreement is that they can renew the permits for 10 years; but if the EIS shows that there is any violation of the standards established in the law and by the regulations, immediately, the Secretary can terminate those permits.

This is a question of fairness. We have got to treat people fairly whether they live in the West or whether they live in the East. What we have done in modifying what I thought were too strenuous conditions imposed by the Senate language, we have modified to make the conditions fair. But I think they are reasonable, and I think they protect the interest of the American people.

On the hard rock mining, we have said, as soon as the National Academy of Science, again, a nonpartisan, independent group, as soon as they give us the report, we can take action. In the meantime, we have a moratorium. All these things are a matter of fairness.

Now, let me just tell my colleagues what a vote yes for this bill will do. A vote yes will give the parks $77 million more than they had last year; the Bureau of Land Management, $50 million more; an additional $55 million to the Fish and Wildlife Service.

We continue the recreational fee program. I am advised by the Park Service that that will generate over $100 million which they get to put right back in the park where the fee is generated.

Do my colleagues know what the law was before we worked on this? If the parks collected a fee, they sent it to the Treasury. Not much incentive to be out there collecting fees; paying one's team to collect a fee so one can send it to Washington. Now they get to keep it. They have done many improvements with the fee money.

I have been visiting the parks. Without exception, and I think the gentleman from Washington (Mr. DICKS) was with us when we visited the parks, we heard this from the team at Olympic how much that meant to them to have the fees to fix up different things that have been neglected.

Speaking of that, we address backlog maintenance. When we started here, we were told it was up to anywhere from $12 billion to $14 billion of backlog maintenance. Most of us have homes. We fix the roof. We fix the driveway. We fix it if there is a problem with the plumbing.

Yet, we were allowing our parks, our forests facilities, the Smithsonian, many others to be neglected. On their own testimony, backlog maintenance was up to almost $14 billion. We decided, as a policy, that we need to address the backlog problem. We need to take care of maintenance. We have been putting in probably twice as much money as was going into maintenance simply to ensure that we are taking care of what we have. We all understand how important that can be.

The conference report ensures environmental protection for the Everglades, including a national park in Biscayne Bay. There is a lot of money in this report to restore the ecosystem and the water flow in the Everglades. How important that is in preserving this great system for the future generations.

Funding for the Forest Service is $10 million over the administration's request and $16 million over the administration's request in trail maintenance. Trails, people love trails. If one has a trail in one's area one knows how much it is used. We recognize that even to a greater extent than the administration did.

This bill is designed for people. It is designed to allow them to use the forest for recreation, to make the parks safe, to make sure they have nice conditions when they go there to visit. So we maintain the sewage systems. We maintain the camp sites. We maintain the things that are important to people.

Funding for the North American Wetlands Conservation Fund continues at $15 million. We increased Indian

Health Services by $130 million, very important in the Indian community. Again, a concern for people. We have tried to address that throughout the bill.

We have the money to buy the Baca Ranch in New Mexico which will add a great piece of land to the base of this Nation, some 95,000 acres with an elk herd of 6,000 that just roam. Think of what that will mean for people to have an opportunity to visit. That is what my colleagues are going to vote yes for if they vote for this bill.

We, earlier today, had an amendment on science. I have seen op ed pieces on how important science is in our schools. We provide in this bill for science and research at the USGS, one of the premier science agencies of this Nation. It gets a total $824 million.

How about this one, a vote yes on this bill is a vote to clean up abandoned mine sites. We really neglected this country and our land when we allowed the rape of lands with mining, open pit mining. We have $191 million, a $6 million increase, to address the problems of open-pit mines, to stop the acid rain runoff that goes downstream and goes far beyond the mine site.

Well, there are a lot more things in here that I can talk about. I only can say this, that a vote yes for this bill is a vote for the people of this Nation.

We have done the best we could with the money we have had. We tried to be fair. I think our friends on the other side of the aisle will recognize that, in terms of projects, programs, that each side was treated equally, and that we made our judgments on the merits of the programs and the projects rather than any political decisions.

In view of that, I think we should get support from all the Members, as we did on the original bill. This bill is not that much different. It is, maybe, better in some respects, more funding because of what the Senate did. I certainly urge the Members here to respect the people of this Nation and support this legislation.

Ms. SLAUGHTER. Mr. Speaker, I yield 4½ minutes to the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Mr. Speaker, I thank the gentlewoman from New York for yielding me the time.

Mr. Speaker, let me just say at the outset how much I respect the gentleman from Ohio (Mr. REGULA) for his work in this Congress and for his concerns about the environment. But let me also say to him, as much as I hold him in high esteem for his abilities and for his care, he talked about this bill having some equity in it, and the only equity that I see in it is that the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations, was able to get about $87 million worth of projects for his State in this bill, a lopsided number to say the least, at the expense of, of course, many other Members. So there is no equity in that formula.

I also want to say, Mr. Speaker, that the interior of our country is blessed with some of the most precious lands and forests in the world. Sometimes we take for granted Glacier and the Shenandoah and the Grand Canyon and Yellowstone and all these marvelous jewels that we have. We do not understand that somebody had the foresight years ago to make them a special place. It did not happen by accident. Legislators protected them from exploitation.

I am sensitive to this exploitation issue because, in my home State of Michigan, we have had a history of exploiting what I think is the most beautiful State in the Union. It occurred in the 18th Century when the folks who wanted to trap came into Michigan, and they took everything that ran on four legs with fur on it, and almost made, in fact, did make extinct the wolverine and the martin, and took pelts in prodigious numbers, beaver. You name it, they went after it and basically took the fur in the State in a very short time and exploited it.

□ 1645

And then in the 19th century, when the Erie Canal opened up and my colleagues' ancestors from New York came over to Michigan, they went after the trees, in the biggest rush of natural resources this country has ever seen. Michigan had unbelievable growth of pine forests and other virgin old growth forests. Seven-tenths, eight-tenths of our State was forest, and by the end of that century it was virtually all gone.

And they took with them the woodland caribou, they took with them the grayling fish, and they took with them the grey fox. The State was devastated. And it has taken us 100 years to recover as a result of that exploitation. We lost some of our special places due to lack of foresight.

In the year 2000, as we do this appropriations bill for the Interior, we should reflect on some of these misguided policies of the past, and we should offer a vision for a better future. Unfortunately, the bill we have before us today lacks in very important areas. It provides less than half of the funding requested by the President's Land Legacy initiative, and it has the riders that we have been debating here allowing for the unrestricted dumping of toxic mineral waste and in placing a 1-year freeze on the hard rock mining regulation.

The worst riders would grant grazing permit renewals without concern for the environmental impact, and it would also subsidize the oil industry by allowing them to pay, as the gentlewoman from New York (Mrs. MALONEY) mentioned, below-market prices for royalties extracted from Federal lands and waters.

And like much of 19th century Michigan, it even allows the trees in our national forests to be raided without any consideration given to the wildlife and the soil erosion and the human health concerns. So this bill lacks vision. It lacks vision. It cannot see the trees or the forests, and we should send it back to the dark ages, especially with respect to the riders. That is where this bill belongs.

This bill is opposed by every major environmental organization in the country for the reasons we have enunciated on the floor today. I urge my colleagues to vote ''no'' on this conference report.

Mr. HASTINGS of Washington. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Washington (Mr. HASTINGS) has 2½ minutes remaining, and the gentlewoman from New York (Ms. SLAUGHTER) has 3½ minutes remaining.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. SPRATT).

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

Mr. SPRATT. Mr. Speaker, we are playing catchup ball. We are rushing to conclusion trying to finish the budget because we are 20 days into a new year without a budget. And as these bills whirl past us, I think it is fair to stop and ask what is the score right now. Just where are we? How much have we spent against what we have got?

To get an answer to that question we have only to look on page H10596 of the CONGRESSIONAL RECORD. We can see that we are $599 million in this bill alone above where the House was, and that is why this rule is required, because we are above the 302(b) allocation. We split the available resources into 13 different bills early in the year, and now this bill comes to us $600 million more than the allocated share it is entitled to.

This continues a trend that has gone on here repeatedly with the bills that are coming to the floor. The three largest bills in the 13 appropriation bills are Defense, which is $8 billion more than the President requested; HUD–VA is $2 billion more than the President requested; and I am told Labor–HHS, which comes here tomorrow, is $2.2 billion more than the President requested. And, of course, we have passed an Ag emergency bill that was not in the original calculus at $8.7 billion more than we originally contemplated. Those alone, back of the envelope, come to 20.7, and the surplus for next year is 14.4.

That means, just on the back of the envelope analysis, that we are $6 billion into the Social Security surplus. We have spent the on-budget surplus, and we are $6 billion into Social Security. But it is worse than that. If we take all the bills, according to the Committee on the Budget's analysis, we are $36 billion right now above what was allocated for discretionary spending. Thirty-six billion.

Now if my colleagues are asking themselves, how did we do this, two gimmicks, basically. Number one, emergency spending. We have taken it

to new heights. We have expanded the definition of an emergency to unprecedented extremes this year; $18.8 billion by our calculation, $24.9 according to the ranking member of the Committee on Appropriations. And then we have used creative scorekeeping. We have discarded, dispensed with, the scorekeeping that our own budget shop, a neutral nonpartisan CBO, congressional budget shop, would render of the budget authority we have provided, and said, no, it is at least $18 billion, $17.1 billion less than what you say. That is how we got $36 billion over the caps and into Social Security.

So where are we, if we adopt this bill? If we back out the gimmicks, we are over, way over, the discretionary spending caps we set; and we are well into the Social Security surplus. If we pass this bill, we will be $600 million over the caps and in BA, $200 million more in outlays into Social Security. That is why this bill is not a good idea.

Ms. SLAUGHTER. Mr. Speaker, I yield the balance of my time to the gentleman from Guam (Mr. UNDERWOOD).

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

Mr. UNDERWOOD. Mr. Speaker, I have 30 seconds to just raise one issue, and that is compact-impact aid for Guam.

This is an unfunded mandate which, according to a Department of Interior report, costs the people of Guam $17 million a year. We were asking for only about 50 percent of that in this Interior appropriations measure. We were not able to get it.

This is an unfunded mandate on citizens that are not fully represented here and stems from a series of treaties signed by the United States in the 1980s with three independent nations which are allowed free migration into the United States and they end up in Guam.

So I rise in opposition to the conference report.

I rise in opposition to the Conference Report on H.R. 2466, the Interior Appropriations bill. It is apparent from our on-going debate that this report does not meet the concerns important to our nation. The inadequate funding of both the Land's Legacy Initiative and the National Endowment for the Arts will weaken our efforts to protect our national parks and forests and jeopardize our nation's appreciation for the diversity of arts and cultures. I also oppose this bill because it does not ensure that the smallest of concerns from our furthest American citizens in the Pacific are addressed. This causes me great concern because for my district, the Territory of Guam, an agreement made in 1986 between the U.S. and the Freely Associated States of Micronesia placed a federal mandate on our territory which costs the island nearly $17 million annually in public services for immigrants from the Freely Associated States of Micronesia.

As background, the Federated States of Micronesia (FSM), the Republic of the Marshall Islands (RMI) and the Republic of Palau (RP) are Freely Associated States with the United States. The FSM and RMI began their respective Compact agreements with the U.S. in 1986 while the Compact relationship with the RP began later in 1994. A provision of the Compact agreements allows Freely Associated State citizens unfettered travel within the U.S. to seek employment or education. As the closest American territory to these independent nations, Guam is their primary destination. The resulting immigration has placed greater demands to provide social, health care, public housing, educational, and public safety services to FAS citizens residing on Guam. Without the proper attention and assistance from Congress, this unfair situation placed on a territory with a limited economy will only contribute to the continuing depletion of Guam's financial resources. This is not only an unfunded federal mandate—it is worse—it is an unfunded federal mandate upon U.S. citizens who are not fully represented here in Washington.

Compact-impact aid assistance for Guam has been recognized by both the Congress and the Administration, but has not been fully addressed. In 1996, Congress authorized annual payment of $4.58 million to Guam until 2001 to offset costs associated with compact migration. A year later, a study paid for by the Department of the Interior calculated the annual cost to Guam for providing social and educational services to Compact migrants was approximately $17 million. As you can see, Guam shoulders more than two-thirds of the cost of providing public services to FAS immigrants.

The budget requests from Delegates of the U.S. Territories in Congress are perhaps the greatest challenges we face during our terms in office. Without doubt, we have less influence in the appropriations process due in large part to our non-voting status in the Congress. Our needs are often misunderstood because our distances from the mainland U.S. are great. Apart from federal programs that both states and territories can participate in, any other requests outside of the norm can be a frustrating ordeal. We are vulnerable to federal interagency differences about how to treat the territories as well as having no leverage during the appropriations process.

I am appreciative for the collaboration and support of the President for including Compact-impact aid increase for Guam as part of his Administration's priorities during the appropriations process. I remain confident that the President is committed to increasing Compact-impact aid for Guam and I remain committed to working with my colleagues to ensure that this issue is addressed this year.

Mr. HASTINGS of Washington. Mr. Speaker, I yield the balance of our time to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Speaker, I have found this discussion interesting. When we look back at the House vote of 377 to 47, and then hear the debate that we have heard in the last few minutes here on the rule, we would think this was a totally different bill.

I sat on the conference committee, and I can tell my colleagues that I want to give it high marks. When I want somebody to negotiate for me with the Senate or anybody, I am going to send the gentleman from Ohio (Mr. REGULA), because I think he did one real fine job. He stood tough and fought for the House position again and again and again, and won.

Now, sure, there is compromise. The President has some things that were added that he wanted changed so he might sign the bill. And the Senate had to have some victories. That is the process. Is it perfect? No. Do we ever pass a perfect bill? No. But this is a good bill, very, very similar to the bill that drew 377 votes. I think there is something good here.

I have heard five different reasons, none related, as to why this bill is bad all of a sudden, but no evidence. This bill has $1.4 billion for national park operations, a $77 million increase; $1.2 billion for Bureau of Land Management, a $50 million increase; national wildlife refuge, a $30 million increase. The issues that are important to our environment, the agencies that are important to our environment have been thoughtfully funded.

Some new initiatives: the Recreational Fee Demonstration program that allows our public lands to keep the fees and help with the backlog of maintenance. Everglades restoration, a new initiative. This bill, in my view, has been a very thoughtful, tough bill because we had constraints.

I personally think there is a move here to just stop the process. Because when we listen to the evidence that we have heard today, it does not make much sense. It is not very clear and convincing. Because this is basically the same bill we passed, and 377 House Members supported it, rightfully so, and only 47 voted against.

I urge my colleagues to support this bill. It is one that our committee fought hard for, our chairman worked hard for in the conference committee, and it is one that deserves our support so we can send it to the President.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the resolution.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 228, nays 196, not voting 9, as follows:

[Roll No. 527]

YEAS—228

Aderholt	Barr	Bereuter
Archer	Barrett (NE)	Berkley
Armey	Bartlett	Biggert
Bachus	Barton	Bilbray
Baker	Bass	Bilirakis
Ballenger	Bateman	Bliley

Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)

NAYS—196

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stearns
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Woolsey
Wu
Wynn

NOT VOTING—9

Camp
Coburn
Jackson-Lee (TX)
Jefferson
Linder
McCarthy (MO)
McCarthy (NY)
Scarborough
Towns

□ 1718

Ms. BROWN of Florida, Mr. UDALL of New Mexico, Mr. RAHALL, and Ms. EDDIE BERNICE JOHNSON of Texas changed their vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1180. An act to amend the Social Security Act to expand the availability of health care coverage for working individuals with disabilities, to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide such individuals with meaningful opportunities to work, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 1180) ''An Act to amend the Social Security Act to expand the availability of health care coverage for working individuals with disabilities, to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide such individuals with meaningful opportunities to work, and for other purposes'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ROTH, Mr. LOTT, and Mr. MOYNIHAN, to be the conferees on the part of the Senate.

CONFERENCE REPORT ON H.R. 2466, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

Mr. REGULA. Mr. Speaker, pursuant to House Resolution 337, I call up the conference report on the bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of October 20, 1999, at page H10517.)

The SPEAKER pro tempore. The gentleman from Ohio (Mr. REGULA) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio (Mr. REGULA).

GENERAL LEAVE

Mr. REGULA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report to accompany H.R. 2466, and that I may include tabular and extraneous material.

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

There was no objection.

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

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

Mr. REGULA. Mr. Speaker, for the next several minutes, I wish all the Members would forget about partisan politics, forget about some of the personal things that they might not totally agree with and think what is good for the people of the United States of America. Two hundred seventy million people are depending on us to ensure that they have a park to visit, to ensure that when they go to a national forest they will be safe, that the facilities will be good, to ensure when a group of children go out in a bus to a fish and wildlife refuge to learn about the ecology of this Nation that there will be somebody there to tell about it, to ensure when they visit the Smithsonian, it will be open, that it will be well cared for, that the people will be there to serve them.

I could go through a whole list of things. Millions of Americans will go to our facilities over the next 12 months, and the quality of their experience is being decided here. Likewise, think about the generations that are here and yet to come, because the legacy we leave them in terms of our national lands is being decided not by

them but by us. Let us forget partisanship for a minute and let us say, what kind of a legacy do we want to leave for future generations as well as for those of today's world. What kind of opportunities do we want them to have.

For example, in this bill will be funds to do long distance learning through the Smithsonian, the National Gallery of Art, the Kennedy Center, an opportunity to tell the story of these marvelous institutions to all the young people of America, many of whom cannot travel to Washington. We have a responsibility to them that should transcend our own personal prejudices on this day. We did that on this bill earlier this year, by overwhelming majorities on both sides. We supported this bill. Sure there have been a few changes, some probably better, a little more money being spent, but the basic bill is the same. The basic bill provides the kind of services that the American people expect us to deliver. That is why we are sent here. And we have an opportunity today to reaffirm that judgment that we made several months ago.

To vote yes, we are voting for a lot of positive environmental things. We are voting to clean up the streams of America through the abandoned mine law. We have increased it. We are voting to spend $77 million more dollars on the parks as well as allow them to keep the $100 plus million that they earn with the fee program. We are voting to diminish vandalism because through the fee program we have discovered that vandalism in the public facilities, the public lands, is reduced. We have in our hands today 30 percent of the land in this Nation, and we are responsible, each of us are responsible with our vote as to how we treat this wonderful, wonderful asset. It is a legacy that has been provided for us.

Just think about New York City. If Frederick Olmstead had not had the vision to save 800 acres called Central Park, there would not be this oasis of beauty in that city. Think what that means to the 10 or 11 million people. Each of us today are going to vote, have an opportunity to do the same, to preserve these facilities. As we become more urbanized, as our cities become more heavily populated, it becomes even more important that we preserve these open spaces.

This bill provides funds to purchase 95,000 acres called the Baca Ranch. I have been there. You walk out in the meadows and there are 6,000 elk grazing. They are not there with a halter around them tied to the ground. They are there as free spirits, free standing, because that is the great natural legacy of their existence. We have a chance to preserve that opportunity.

We have an opportunity here to make good on a promise this body made several years ago. We said to coal miners who suffered with black lung, who suffered with all kinds of physical problems, we are going to help you, because this is a compassionate Nation, we care about people. So we passed a law to give these people some help. Today, we are providing some additional funds. The fund is depleted. Are we going to say to these people, ''Sorry, we made a promise but we're not going to keep it''?

Those are just a few items that are embodied in this bill. Sure, I know we can talk about the riders. But these are important. It is important to the people that live along the shorelines of this Nation, be it California or Florida or North Carolina, that their offshore be preserved. That is a rider. It says there shall be no drilling offshore. It is important that there not be more patents issued to give away our public lands. That is in this bill. It is called a rider.

We have a couple of others in here. They are much less severe than was the case in the language that was in the Senate, but in the process of a compromise that represents this report today, the gentleman from Washington (Mr. DICKS) and myself, members from both sides of the aisle, fought to mitigate those riders, to soften them but be fair to the people. We cannot say to a rancher that for 50 years he and his family have been running cattle that just suddenly we are going to cut you off tomorrow. That is not fair. But we do say, once we have done an EIS, if you do not meet the standards, you are going to lose your permit. And we give the Secretary of Interior the right to make that decision.

We do not have a lot of time. I am going to stop here. We have others that want to speak. Just examine your conscience and say, What do I want my legacy to be? What do I want my vote to represent? Do I want it to represent enhancing, preserving, taking care of these great assets that are our legacies from other generations that served in this body. These 378 national parks just did not happen. They happened because people had vision, such as Teddy Roosevelt and many others.

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Today, we are shaping the vision that others who serve here in years that follow us will say, gee, they really cared about the people of this Nation, they cared about preserving their crown jewels, the parks, they cared about preserving their forests for recreation. That is the challenge that we have to meet when we put the card in the slot this afternoon.

Today, as we take up the conference report making appropriations for Interior and Related Agencies for fiscal year 2000, you have the opportunity to voice your commitment to America's priceless natural and cultural resources. We can leave our children and future generations no more valuable legacy than our national parks, wildlife refuges, forests and wilderness areas, and our rich cultural heritage which defines who we are as a people and nation.

I urge you to vote in favor of this conference report. Don't let politics or a dedication to fiscal austerity cause you to overlook all the many very positive things that can be achieved through this bill. The American people expect you to be the guardians of their most highly prized natural and cultural resources. Don't let them down.

Getting to this point has been challenging, with many hurdles to overcome. The President sent the Congress a budget request for fiscal year 2000 that was balanced, only because it relied on budget gimmicks, increased taxes and new user fees. In contrast, this conference agreement sought to deal with real needs and important issues directly, fairly and in a way that best serves the public. This year's appropriation amount is $14.5 billion, a very modest increase of 1½ percent over last year's $14.3 billion. This is a very small price to pay to protect and preserve the nation's natural and cultural resources.

The House and Senate bills contained numerous differences, large and small, reflecting the concerns and priorities of the members of the two chambers. Reconciling these differences provoked spirited debate on all sides of the issues. Conferees argued their positions with reason and passion. But in the end, everyone's willingness to listen and seek common ground prevailed over our differences.

As a result, I am pleased to report that the conference report you have before you effectively addresses the priorities Americans care most about. These include $1.4 billion for National Park Service operations to enhance visitors' safety and their enjoyment of America's great natural wonders; $40 million to purchase the Baca Ranch in New Mexico, preserving a unique expanse of the Old West; over $500 million for the Smithsonian Institution and the National Gallery of Art so that visitors from across America and the world can enjoy the thousands of marvels of science, history, technology and the animal kingdom and the glorious works of art on display here; $68 million for the United Mine Workers of America Combined Benefit Fund, which is nearly depleted because of several recent court decisions, to ensure that elderly mine workers and their dependents continue to receive health care. I urge the authorizing committees to take up this issue and develop a long-term solution to this problem.

We have continued an important commitment I have made to improve management of the agencies funded by this bill. This year we have worked with the National Academy of Public Administration (NAPA) in examining the management of both the Forest Service and the Bureau of Indian Affairs. We are instructing these agencies to take steps to implement NAPA's recommendations for more effective and efficient management.

I wish to express my appreciation to Senator GORTON and his subcommittee members for their willingness to seek common ground to allow us to bridge significant differences in our respective bills. They worked diligently with us to achieve compromises on three key legislative provisions.

First, regarding mill sites, the conference report does not prohibit the Department of the Interior from enforcing the Solicitor's decision that establishes a limit of one mill site per mining claim, as the Senate had proposed. Interior may enforce the limitation on new claims, but exceptions are made for existing mining plans of operation (already agreed to by Secretary Babbitt), plans of operation submitted prior to May 21, 1999, and patent applications

grandfathered pursuant to the current patent application moratorium in place since fiscal year 1995.

Second, the Senate included a provision which would have extended all expiring Bureau of Land Management grazing permits based on existing terms and conditions. The conference agreement clearly states that the authority of the Secretary of the Interior to alter, modify or reject permit renewals following completion of all required environmental analyses is not altered. The agreement also includes additional funding to accelerate the processing of these permits.

Third, the Senate had included a provision prohibiting the Minerals Management Service from implementing a new rule on oil valuation through fiscal year 2000. The conference agreement prohibit the rule from being implemented for a period not to exceed 6 months, or until the Comptroller General reviews the proposed regulation and issues a report. There is no prohibition on implementation following the release of the report.

In summary, this conference report is not about politics and partisanship. This report reflects our commitments to protecting America's most valuable natural resources for future generations and promoting culture, science and history for the benefit of communities, large and small, throughout this country. Passage of this report means meeting our responsibilities to American Indians and Alaska Natives and continuing essential research to increase energy efficiency and maintain a clean, healthy environment. Again, as strongly as I possibly can, I urge you to vote for its passage.

There are three corrections that need to be made to the conference report. The number for the Historic Preservation Fund in the National Park Service should be $75,212,000, the number of Forest Service land acquisition should be $79,575,000 and in section 310, ''1999'' should read ''2000.''

We will take the necessary steps to ensure these corrections are made.

Also, in the statement of the managers, the first sentence under the Historic Preservation Fund in the National Park Service should read, ''The conference agreement provides $75,212,000 for the Historic preservation fund instead of $46,712,000 as proposed by the House and $42,412,000 as proposed by the Senate.''

At this point Mr. Speaker, I insert into the RECORD a table detailing the various accounts in the bill.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2000 (H.R. 2466)

(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	House	Senate	Conference	Conference vs. enacted
TITLE I - DEPARTMENT OF THE INTERIOR						
Bureau of Land Management						
Management of lands and resources	612,511	641,100	631,068	634,321	644,218	+31,707
Wildland fire management	286,895	305,850	292,399	283,805	292,282	+5,387
Central hazardous materials fund	10,000	11,350	10,000	10,000	10,000	.....
Construction	10,997	8,350	11,100	12,418	11,425	+428
Payments in lieu of taxes	125,000	125,000	145,000	135,000	135,000	+10,000
Land acquisition	14,600	48,900	15,000	17,400	15,500	+900
Oregon and California grant lands	97,037	101,650	99,225	99,225	99,225	+2,188
Range improvements (indefinite)	10,000	10,000	10,000	10,000	10,000	.....
Service charges, deposits, and forfeitures (indefinite)	8,055	8,800	8,800	8,800	8,800	+745
Miscellaneous trust funds (indefinite)	8,800	7,700	7,700	7,700	7,700	-1,100
Total, Bureau of Land Management	1,183,895	1,268,700	1,230,292	1,218,669	1,234,150	+50,255
United States Fish and Wildlife Service						
Resource management	661,136	724,000	710,700	684,569	716,046	+54,910
Construction	50,453	43,569	43,933	40,434	54,583	+4,130
Emergency appropriations	37,612	.....	.....	.....	.....	-37,612
Land acquisition	48,024	73,632	42,000	56,444	50,513	+2,489
Cooperative endangered species conservation fund	14,000	80,000	15,000	21,480	16,000	+2,000
National wildlife refuge fund	10,779	10,000	10,779	10,000	10,779	.....
North American wetlands conservation fund	15,000	15,000	15,000	15,000	15,000	.....
Wildlife conservation and appreciation fund	800	800	800	800	800	.....
Multinational species conservation fund	2,000	3,000	2,000	2,400	2,400	+400
Commercial salmon fishery capacity reduction	.....	.....	.....	.....	5,000	+5,000
Total, United States Fish and Wildlife Service	839,804	950,001	840,212	831,127	871,121	+31,317
National Park Service						
Operation of the national park system	1,285,604	1,389,627	1,387,307	1,355,176	1,365,059	+79,455
Emergency appropriations	2,320	.....	.....	.....	.....	-2,320
National recreation and preservation	46,225	48,336	49,449	51,451	53,899	+7,674
Historic preservation fund	72,412	80,512	46,712	42,412	75,212	+2,800
Construction	226,058	194,000	169,856	223,153	224,493	-1,565
Emergency appropriations	13,680	.....	.....	.....	.....	-13,680
Land and water conservation fund (rescission of contract authority)	-30,000	-30,000	-30,000	-30,000	-30,000	.....
Land acquisition and state assistance	147,925	172,468	132,000	107,725	120,700	-27,225
Conservation grants and planning assistance	.....	200,000	.....	.....	.....	.....
Urban park and recreation fund	.....	4,000	.....	.....	.....	.....
Total, National Park Service (net)	1,764,224	2,058,943	1,755,324	1,749,917	1,809,363	+45,139
United States Geological Survey						
Surveys, investigations, and research	797,896	838,485	820,444	813,093	823,833	+25,937
Emergency appropriations	1,000	.....	.....	.....	.....	-1,000
Minerals Management Service						
Royalty and offshore minerals management	217,902	234,082	234,082	234,682	234,682	+16,780
Additions to receipts	-100,000	-124,000	-124,000	-124,000	-124,000	-24,000
Oil spill research	6,118	6,118	6,118	6,118	6,118	.....
Total, Minerals Management Service	124,020	116,200	116,200	116,800	116,800	-7,220
Office of Surface Mining Reclamation and Enforcement						
Regulation and technology	93,078	94,391	95,693	95,891	95,891	+2,813
Receipts from performance bond forfeitures (indefinite)	275	275	275	275	275	.....
Subtotal	93,353	94,666	95,968	96,166	96,166	+2,813
Abandoned mine reclamation fund (definite, trust fund)	185,416	211,158	196,458	185,658	191,208	+5,792
Total, Office of Surface Mining Reclamation and Enforcement	278,769	305,824	292,426	281,824	287,374	+8,605
Bureau of Indian Affairs						
Operation of Indian programs	1,584,124	1,694,387	1,631,050	1,633,296	1,637,444	+53,320
Construction	123,421	174,258	126,023	146,884	146,884	+23,463
Indian land and water claim settlements and miscellaneous payments to Indians	28,882	28,401	25,901	27,131	27,256	-1,626
Indian guaranteed loan program account	5,001	5,008	5,008	5,004	5,008	+7
(Limitation on guaranteed loans)	(59,682)	(59,682)	(59,682)	(59,682)	(59,682)	.....
Indian land consolidation pilot	5,000	.....	.....	.....	.....	-5,000
Total, Bureau of Indian Affairs	1,746,428	1,902,054	1,787,982	1,812,315	1,816,592	+70,164

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2000 (H.R. 2466)— continued

(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	House	Senate	Conference	Conference vs. enacted
Departmental Offices						
Insular Affairs:						
Assistance to Territories	38,455	40,355	34,600	39,605	39,451	+996
Northern Marianas Islands Covenant	27,720	27,720	27,720	27,720	27,720	.....
Subtotal, Assistance to Territories	66,175	68,075	62,320	67,325	67,171	+996
Compact of Free Association	8,930	8,545	8,545	8,545	8,545	-385
Mandatory payments	12,000	12,000	12,000	12,000	12,000	.....
Subtotal, Compact of Free Association	20,930	20,545	20,545	20,545	20,545	-385
Total, Insular Affairs	87,105	88,620	82,865	87,870	87,716	+611
Departmental management	64,686	63,064	62,864	62,203	62,864	-1,822
Y2K conversion (emergency appropriations)	80,347	.....	.....	.....	.....	-80,347
Office of the Solicitor	36,784	41,500	36,784	36,784	40,196	+3,412
Office of Inspector General	25,486	27,614	26,086	26,614	26,086	+600
Office of the Special Trustee for American Indians	61,299	90,025	90,025	73,836	90,025	+28,726
Indian land consolidation pilot	.....	10,000	5,000	5,000	5,000	+5,000
Natural resource damage assessment fund	4,492	7,900	5,400	4,621	5,400	+908
Management of Federal lands for subsistence uses	8,000	.....	.....	.....	.....	-8,000
Glacier Bay fishing (emergency appropriations)	26,000	.....	.....	.....	.....	-26,000
Total, Departmental Offices	394,199	328,723	309,024	296,928	317,287	-76,912
Total, title I, Department of the Interior:						
New budget (obligational) authority (net)	7,130,235	7,768,930	7,151,904	7,120,673	7,276,520	+146,285
Appropriations	(6,999,276)	(7,798,930)	(7,181,904)	(7,150,673)	(7,306,520)	(+307,244)
Emergency appropriations	(160,959)	.....	.....	.....	.....	(-160,959)
Rescissions	(-30,000)	(-30,000)	(-30,000)	(-30,000)	(-30,000)	.....
(Limitation on guaranteed loans)	(59,682)	(59,682)	(59,682)	(59,682)	(59,682)	.....
TITLE II - RELATED AGENCIES						
DEPARTMENT OF AGRICULTURE						
Forest Service						
Forest and rangeland research	197,444	234,644	204,373	187,444	202,700	+5,256
State and private forestry	170,722	252,422	181,464	190,793	187,534	+16,812
National forest system	1,298,570	1,357,178	1,254,434	1,239,051	1,251,504	-47,066
Wildland fire management	560,176	560,730	561,354	560,980	561,354	+1,178
Emergency appropriations	102,000	90,000	.....	90,000	90,000	-12,000
Reconstruction and maintenance	297,352	295,000	396,602	362,095	398,927	+101,575
Emergency appropriations	5,611	.....	.....	.....	.....	-5,611
Land acquisition	117,918	118,000	1,000	36,370	79,575	-38,343
Acquisition of lands for national forests special acts	1,069	1,069	1,069	1,069	1,069	.....
Acquisition of lands to complete land exchanges (indefinite)	210	210	210	210	210	.....
Range betterment fund (indefinite)	3,300	3,300	3,300	3,300	3,300	.....
Gifts, donations and bequests for forest and rangeland research	92	92	92	92	92	.....
Southeast Alaska economic disaster fund	.....	.....	.....	.....	22,000	+22,000
Management of Federal lands for subsistence uses	3,000	.....	.....	.....	.....	-3,000
Total, Forest Service	2,757,464	2,912,645	2,603,898	2,671,404	2,798,265	+40,801
DEPARTMENT OF ENERGY						
Clean coal technology:						
Deferral	-40,000	-256,000	-256,000	-156,000	-156,000	-116,000
Fossil energy research and development	384,056	340,000	256,292	366,975	386,025	+1,969
Biomass energy development (by transfer)	.....	(24,000)	(24,000)	(24,000)	(24,000)	(+24,000)
Alternative fuels production (indefinite)	-1,300	-1,000	-1,000	-1,000	-1,000	+300
Naval petroleum and oil shale reserves	14,000	.....	.....	.....	.....	-14,000
Elk Hills school lands fund	36,000	36,000	36,000	.....	.....	-36,000
Energy conservation	691,701	812,515	706,822	659,817	664,242	-27,459
Biomass energy development (by transfer)	.....	(25,000)	(25,000)	(25,000)	(25,000)	(+25,000)
Economic regulation	1,801	2,000	2,000	2,000	2,000	+199
Strategic petroleum reserve	160,120	159,000	146,000	159,000	159,000	-1,120
SPR petroleum account	.....	5,000	.....	.....	.....	.....
Energy Information Administration	70,500	72,644	72,644	70,500	72,644	+2,144
Total, Department of Energy:						
New budget (obligational) authority (net)	1,316,878	1,170,159	962,758	1,101,292	1,126,911	-189,967
Appropriations	(1,356,878)	(1,426,159)	(1,218,758)	(1,257,292)	(1,282,911)	(-73,967)
Deferral	(-40,000)	(-256,000)	(-256,000)	(-156,000)	(-156,000)	(-116,000)
(By transfer)	.....	(49,000)	(49,000)	(49,000)	(49,000)	(+49,000)

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2000 (H.R. 2466)— continued

(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	House	Senate	Conference	Conference vs. enacted
DEPARTMENT OF HEALTH AND HUMAN SERVICES						
Indian Health Service						
Indian health services	1,950,322	2,094,922	2,085,407	2,138,001	2,053,967	+103,645
Indian health facilities	291,965	317,465	312,478	189,252	318,580	+26,615
Total, Indian Health Service	2,242,287	2,412,387	2,397,885	2,327,253	2,372,547	+130,260
OTHER RELATED AGENCIES						
Office of Navajo and Hopi Indian Relocation						
Salaries and expenses	13,000	14,000	13,400	8,000	8,000	-5,000
Institute of American Indian and Alaska Native Culture and Arts Development						
Payment to the Institute	4,250	4,250	.....	4,250	2,125	-2,125
Smithsonian Institution						
Salaries and expenses	347,154	380,501	371,501	367,062	372,901	+25,747
Construction and improvements, National Zoological Park	4,400	.....	.....	4,400	.....	-4,400
Repair and restoration of buildings	40,000	47,900	47,900	35,000	47,900	+7,900
Construction	16,000	19,000	19,000	19,000	19,000	+3,000
Y2K conversion (emergency appropriations)	4,700	.....	.....	.....	.....	-4,700
Total, Smithsonian Institution	412,254	447,401	438,401	425,462	439,801	+27,547
National Gallery of Art						
Salaries and expenses	57,938	61,438	61,538	61,438	61,538	+3,600
Repair, restoration and renovation of buildings	6,311	6,311	6,311	6,311	6,311	.....
Y2K conversion (emergency appropriations)	101	.....	.....	.....	.....	-101
Total, National Gallery of Art	64,350	67,749	67,849	67,749	67,849	+3,499
John F. Kennedy Center for the Performing Arts						
Operations and maintenance	12,187	14,000	12,441	14,000	14,000	+1,813
Construction	20,000	20,000	20,000	20,000	20,000	.....
Total, John F. Kennedy Center for the Performing Arts	32,187	34,000	32,441	34,000	34,000	+1,813
Woodrow Wilson International Center for Scholars						
Salaries and expenses	5,840	6,040	7,040	6,040	6,790	+950
National Foundation on the Arts and the Humanities						
National Endowment for the Arts						
Grants and administration	83,500	137,000	83,500	90,000	85,000	+1,500
Matching grants	14,500	13,000	14,500	13,000	13,000	-1,500
Total, National Endowment for the Arts	98,000	150,000	98,000	103,000	98,000	.....
National Endowment for the Humanities						
Grants and administration	96,800	129,800	96,800	101,000	101,000	+4,200
Matching grants	13,900	20,200	13,900	14,700	14,700	+800
Total, National Endowment for the Humanities	110,700	150,000	110,700	115,700	115,700	+5,000
Institute of Museum and Library Services/ Office of Museum Services						
Grants and administration	23,405	34,000	24,400	23,905	24,400	+995
Total, National Foundation on the Arts and the Humanities	232,105	334,000	233,100	242,605	238,100	+5,995
Commission of Fine Arts						
Salaries and expenses	898	1,078	935	1,078	1,005	+107
National Capital Arts and Cultural Affairs						
Grants	7,000	6,000	7,000	7,000	7,000	.....
Advisory Council on Historic Preservation						
Salaries and expenses	2,800	3,000	3,000	2,906	3,000	+200
National Capital Planning Commission						
Salaries and expenses	5,954	6,312	6,312	6,312	6,312	+358
Y2K conversion (emergency appropriations)	381	.....	.....	.....	.....	-381

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2000 (H.R. 2466)— continued

(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	House	Senate	Conference	Conference vs. enacted
United States Holocaust Memorial Council						
Holocaust Memorial Council	32,107	33,786	33,286	33,286	33,286	+1,179
Y2K conversion (emergency appropriations)	900					-900
Emergency appropriations	2,000					-2,000
Total, United States Holocaust Memorial Council	35,007	33,786	33,286	33,286	33,286	-1,721
Presidio Trust						
Presidio trust fund	34,913	44,400	44,400	44,400	44,400	+9,487
Total, title II, related agencies:						
New budget (obligational) authority (net)	7,167,568	7,497,207	6,851,705	6,983,037	7,189,391	+21,823
Appropriations	(7,091,875)	(7,663,207)	(7,107,705)	(7,049,037)	(7,255,391)	(+163,516)
Emergency appropriations	(115,693)	(90,000)		(90,000)	(90,000)	(-25,693)
Deferral	(-40,000)	(-256,000)	(-256,000)	(-156,000)	(-156,000)	(-116,000)
(By transfer)		(49,000)	(49,000)	(49,000)	(49,000)	(+49,000)
TITLE III						
Across-the-board cut in Floor action			-69,000	-48,000		
TITLE V						
United Mine Workers of America combined benefit fund (emergency appropriations)					68,000	+68,000
Grand total:						
New budget (obligational) authority (net)	14,297,803	15,266,137	13,934,609	14,055,710	14,533,911	+236,108
Appropriations	(14,091,151)	(15,462,137)	(14,220,609)	(14,151,710)	(14,561,911)	(+470,760)
Emergency appropriations	(276,652)	(90,000)		(90,000)	(158,000)	(-118,652)
Rescissions	(-30,000)	(-30,000)	(-30,000)	(-30,000)	(-30,000)	
Deferral	(-40,000)	(-256,000)	(-256,000)	(-156,000)	(-156,000)	(-116,000)
(By transfer)		(49,000)	(49,000)	(49,000)	(49,000)	(+49,000)
(Limitation on guaranteed loans)	(59,682)	(59,682)	(59,682)	(59,682)	(59,682)	
TITLE I - DEPARTMENT OF THE INTERIOR						
Bureau of Land Management	1,183,895	1,268,700	1,230,292	1,218,669	1,234,150	+50,255
United States Fish and Wildlife Service	839,804	950,001	840,212	831,127	871,121	+31,317
National Park Service	1,764,224	2,058,943	1,755,324	1,749,917	1,809,363	+45,139
United States Geological Survey	798,896	838,485	820,444	813,093	823,833	+24,937
Minerals Management Service	124,020	116,200	116,200	116,800	116,800	-7,220
Office of Surface Mining Reclamation and Enforcement	278,769	305,824	292,426	281,824	287,374	+8,605
Bureau of Indian Affairs	1,746,428	1,902,054	1,787,982	1,812,315	1,816,592	+70,164
Departmental Offices	394,199	328,723	309,024	296,928	317,287	-76,912
Total, Title I - Department of the Interior	7,130,235	7,768,930	7,151,904	7,120,673	7,276,520	+146,285
TITLE II - RELATED AGENCIES						
Forest Service	2,757,464	2,912,645	2,603,898	2,671,404	2,798,265	+40,801
Department of Energy	1,316,878	1,170,159	962,758	1,101,292	1,126,911	-189,967
Indian Health Service	2,242,287	2,412,387	2,397,885	2,327,253	2,372,547	+130,260
Office of Navajo and Hopi Indian Relocation	13,000	14,000	13,400	8,000	8,000	-5,000
Institute of American Indian and Alaska Native Culture and Arts Development	4,250	4,250		4,250	2,125	-2,125
Smithsonian Institution	412,254	447,401	438,401	425,462	439,801	+27,547
National Gallery of Art	64,350	67,749	67,849	67,749	67,849	+3,499
John F. Kennedy Center for the Performing Arts	32,187	34,000	32,441	34,000	34,000	+1,813
Woodrow Wilson International Center for Scholars	5,840	6,040	7,040	6,040	6,790	+950
National Endowment for the Arts	98,000	150,000	98,000	103,000	98,000	
National Endowment for the Humanities	110,700	150,000	110,700	115,700	115,700	+5,000
Institute of Museum and Library Services	23,405	34,000	24,400	23,905	24,400	+995
Commission of Fine Arts	898	1,078	935	1,078	1,005	+107
National Capital Arts and Cultural Affairs	7,000	6,000	7,000	7,000	7,000	
Advisory Council on Historic Preservation	2,800	3,000	3,000	2,906	3,000	+200
National Capital Planning Commission	6,335	6,312	6,312	6,312	6,312	-23
Holocaust Memorial Council	35,007	33,786	33,286	33,286	33,286	-1,721
Presidio Trust	34,913	44,400	44,400	44,400	44,400	+9,487
Total, Title II - Related Agencies	7,167,568	7,497,207	6,851,705	6,983,037	7,189,391	+21,823
TITLE III						
Across-the-board cut in Floor action			-69,000	-48,000		

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2000 (H.R. 2466)— continued

(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	House	Senate	Conference	Conference vs. enacted
TITLE V						
United Mine Workers of America combined benefit fund (emergency appropriations)	.....	.....	.....	.....	68,000	+68,000
Grand total	14,297,803	15,266,137	13,934,609	14,055,710	14,533,911	+236,108

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

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

Mr. DICKS. Mr. Speaker, I rise in reluctant opposition to the conference report on the Fiscal Year 2000 Interior and related agencies appropriations bill. I will explain my reasons for this position in a moment, but first I want to state categorically that my opposition to this measure does not in any way impugn the job done by the chairman of the subcommittee, my good friend the gentleman from Ohio (Mr. REGULA). As chairman of the conference, he had the virtually impossible task of trying to bridge insurmountable differences of opinion between the Houses, the parties and the branches of Government, and I also want to at this time commend the staff of the subcommittee, Debbie Weatherly and the members of the majority staff, Del Davis, and the minority staff. These people have worked very hard under very difficult circumstances to bring this conference report, and they are highly professional people who work for the best interests of the House of Representatives.

In many ways the recommendations of the conferees on this measure represent improvements compared to the bill that passed the House in July. However, in other important ways, specifically the addition of three environmentally damaging legislative riders, this agreement is much worse than the House bill and will almost certainly be vetoed by the President. The inclusion of the riders is especially troublesome given the vote of the full House on the motion to instruct conferees.

Two hundred eighteen members of this House, a majority, voted to instruct conferees to support the Rahall amendment limiting the number and size of mill sites on public lands to support the Senate, the other body's position increasing funding for the National Endowment for the Arts and the Humanities by $5 million each and to reject the Senate's anti-environmental riders. Unfortunately the only part of the instruction that was followed was to agree with the Senate's funding increase for the National Endowment for the Humanities.

Environmentalists and the administration have roundly criticized the Senate bill. While it may be true that the conference agreement has marginally improved some of the riders, the resulting provisions are still opposed by the administration and have no place in this appropriations bill. The provisions relating to mining mill sites, delaying hard rock mining regulation, delaying oil royalty evaluation regulations, and grazing should not have been accepted by the conference.

The conferees' decisions on funding for the National Endowment for the Arts is a major disappointment. Despite the fact that the conference agreement provides a total of 600 million more for agencies and programs funded in the bill than the amount in the House-passed bill and despite the fact that the House had instructed its conferees to agree with the slightly higher funding levels for the NEH, the conference ended with no increase for the arts. Once again opponents of the NEA dredged up outdated information and outright misinformation. Once again the views of the ultra-conservative caucus representing a minority of one body have been allowed to override the wishes of a majority in both Houses.

Another feature of the bill that causes great concern is the inadequate funding provided for the administration's new Land Legacy program, one of the major initiatives of the 2000 budget. The administration proposal was to fund the Land and Water Conservation Fund at the fully authorized level of 900 million, including roughly 800 million in the Interior appropriations bill.

The conference agreement, while improving on the 190 million included in the House bill, provides only about one-third, or 266 million, of the amounts requested. While the conference agreement is 600 million higher than the House bill, funding for the administration's top priority was only increased by 75 million. The recommendation of the conferees does not even match last year's level. It is 62 million less. And last year's bill was 500 million less in total than this year.

Two major parts of the President's Land Legacy initiative, the 200 million requested for conservation grants and planning assistance and the 66 million increase requested for the Cooperative Endangered Species Conservation Fund, did not receive any funding. Given the threat of development in and around so many of our parks, forests, refuges, and other public lands and given the strong support of acquiring and conserving these sensitive lands by a substantial majority of the American people, the failure of this bill to address these needs adequately is a serious flaw.

Mr. Speaker, I urge my colleagues to vote no on this conference report and avoid the imminent veto by the administration. Passing the conference report right now is futile if changes are not made.

Mr. Speaker, I would say to the gentleman from Ohio that I agree with him on the Park Service and on several other areas of this bill. We have made some significant progress, and no one doubts the chairman's commitment to improving our national parks, and I have appreciated the fact that he goes out and he looks at the parks. I think the fact that we are keeping these fees to improve the parks is one of the most positive things that we have done with the authorizing committee, and there are a lot of things that are positive.

I do not want to paint an entirely negative picture, but unfortunately the other body keeps insisting on these riders; and some of these riders are things that I understand, being from the West. But unfortunately, they get our bill in trouble; and I wish we could convince, and I want to commend the gentleman on this, that the bill when it left the House did not have these riders. They almost, every single one of these riders was added in the other body, and so somehow I hope that we can do better in the next go round because there will be a next go round in my judgment, and we can come up with a bill that can be signed into law.

I went back and looked at my own record. I have been on this committee, this is my 23rd year on the Subcommittee on the Interior. I have seldom voted against a bill, I have seldom voted against a conference report, and I regret that I have to do it today. But I am convinced that we can do better, that we can make this bill stronger, and I look forward to working with the gentleman from Ohio (Mr. REGULA) to accomplish this task at a later date.

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

Mr. REGULA. Mr. Speaker, I yield 4 minutes to the gentleman from Tennessee (Mr. WAMP), a very valuable member of our subcommittee.

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

Mr. WAMP. Mr. Speaker, I thank the gentleman for an outstanding job, not just this year, but in previous years, outstanding staff on both sides of the aisle; and I say to my friend, the ranking member who is also an outstanding gentleman, I am reminded today of what Ronald Reagan once said, something like this, I am paraphrasing, that somebody who votes with me 80 percent of the time is not 80 percent my enemy, he is 80 percent my friend, or he is not 20 percent my enemy, he is 80 percent my friend; and I really think that the opposition to this bill is focusing on a few narrow problems that on October 21 we need to get beyond.

It is time to get beyond this October the 21, in this year pass this bill, move it out of here; and I hate to see the gentleman from Washington (Mr. DICKS) break his perfect record on supporting this because I think it runs counter to the philosophy of the Committee on Appropriations where we do work in a bipartisan way, we do build consensus, we do work through these conference committees, and my colleagues know the old saying that we say in the House from time to time, that maybe the Democrats are our opponents, but the Senate is the real enemy. That seemed to not have changed regardless of who is in the majority. But that is just reality. At the end of the day the Senate does not do what we want them to do, but we have got to move the process forward. So, please do not hold this bill up.

I want to focus on a couple of things that have not been talked about yet, and that is the energy piece of this bill, a little over a billion dollars out of $14

billion in energy research, fossil energy and energy conservation.

Let me just say some people may ask why do we fund these programs. Energy research really was brought about by the oil problems of the 1970s and the need for our country at the national level, the Federal level, to rely on research, basic research from the Federal Government, to pursue alternative energy sources so we are not so dad-blasted dependent on Middle Eastern oil. We have got to fund those programs. We are increasing the funding on those programs.

That is at the heart of this bill. We fund the good guys. We fund the Park Service, the Forest Service, the Bureau of Land Management, U.S. Fish and Wildlife, U.S. Geological Survey; these are the good guys. We are trying to fund these good guys; help us fund these good guys. But we also have to reduce our reliance on Middle Eastern oil for the peace and well-being of our country at large.

We hear a lot about climate change, does it lead to global warming? I do not know what the actual science is. I have great questions about it, but I know this. If we can develop better policies through fossil energy research to reduce CO_2 emissions, it cannot do any harm; it can only do good. Why not do it? That is in this bill, strong effort, thought through, good science. We studied it; we developed these priorities. It is in the bill. Do not hold that up. Move fossil energy research forward; we will have cleaner air guaranteed if we fund these programs.

Energy conservation, things like weatherization. We do not want cool air to just leak out of our public housing in this country or warm air just to leak out. We want to come up with smarter ways to build public housing in this country to make sure we reduce the cost for our residents and for our Government to take care of the indigent in our country through weatherization programs.

This research is working. It is basic research fully funded in this bill, the kind of things that we need.

This is a good bill. It went through the process, we had the hearings, we do travel, we hear from everyone, we vent, we work through it. Dad-gummit, it is October 21. Let us pass this bill with bipartisan support like we always have before and move this process forward. It is not time to obstruct or delay unless my colleagues are being excessively partisan, and I am not one that is excessively partisan. I jump back and forth depending on what my guts tell me to do, and it is time for my colleagues who want to play partisan games at the end of the year to do the right thing, move this bill forward, pass the bill.

Congratulations.

Mr. DICKS. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY), one of my distinguished classmates who is working on umpire reform at this very moment.

Mr. MARKEY. Mr. Speaker, as my colleagues know, the problem with being a Red Sox fan is not unlike being in the minority with this particular Republican in the majority. We just do not have any chance to win. We can, like, script it, as my colleagues know, differently each time to make it interesting; but the outcome is always predetermined, and we lose. So I am quite used to this, given the way in which the umpires stole the American League championship from the Red Sox.

Today, I rise to denounce the assault on America's environmental tradition in this Interior appropriations conference report. I am honored to have helped shape the tradition in a small way by ensuring fair royalties for our oil and gas reserves in a law which I authored in 1981 when I was the chairman of the Committee on Oversight and Investigations overseeing the Department of Interior by preventing corporations from robbing the American people of their natural resources.

How then can I accept this bill in which the Republican leadership plays with the Minerals Management Service like a yo-yo? The Minerals Management Service proposes rules valuing our oil and gas reserves. The Republicans respond with riders, restricting the rule. For 4 years this yo-yo has rolled back and forth without resources trapped on the string; and, true to form, an additional 6-month delay has been attached to this conference report.

□ 1745

It is time to end this destructive game. Cut the string and give the American people reasonable compensation for oil and gas from Federal lands.

Mr. Speaker, I wish that I could say that this was the only threat in the Interior Appropriations conference report, but I cannot even say it is the worst. Extension of grazing permits and an allowance for increased mining waste on Federal lands are just a few of the destructive provisions that remain. They buzz around this bill like gulls in a trash dump. We cannot accept a conference report with any of these provisions. We have a responsibility to our natural resources, to our tradition of environmental stewardship.

As we enter the 21st century, we must not relinquish this responsibility. We must protect our resources and we must start by defeating this Interior conference report on the floor this evening.

I thank the gentleman from Washington State for his national leadership and for his civility and compassion for Red Sox fans.

Mr. REGULA. Mr. Speaker, I yield 4½ minutes to the gentleman from Nevada (Mr. GIBBONS).

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

Mr. GIBBONS. Mr. Speaker, first of all, I want to extend my great congratulations and thanks to the gentleman from Ohio (Mr. REGULA), the chairman of the subcommittee, for the bill that we are about to have. I know it is the best we could do with the Senate that we are dealing with on the other side, and certainly, it is not a perfect bill, of course not. But there have been a great number of mistruths presented in this bill that I would like to straighten out in this few minutes that I have.

Over the debate of the last few weeks we have had the so-called Rahall mill site rider included. Did I support it? No. Let me tell my colleagues why. Because the mistruths that were there need to be corrected.

Current law mandates that mill sites can only be five acres in size, but additional mill sites may be used in order to support an economic ore body. That is current law. The reason being, this limitation forces the mining company to use only the minimal amount of public land needed. However, when an additional 5-acre mill site is required, mining companies must comply with all State and Federal environmental laws.

It is important to note that what many would characterize as ''mine waste'' is nothing more than dirt and rocks covering the ground that is similar to any jogging path or driveway that we have in America today.

Allow me to share with my colleagues on the left who oppose this bill the current environmental laws that mining companies must comply with every time they seek an additional five-acre mill site.

They must fully comply with the National Environmental Policy Act. This means that all activities on mill sites located on public land must be evaluated in an environmental impact statement before they are allowed by the BLM or the Forest Service to have additional acreage. They must comply with the Federal Surface Management Rules which apply to Federal lands and State mining and reclamation programs, which apply to Federal, State and private lands. These programs typically require a detailed characterization of the dirt and rocks which is called overburden; operating controls to prevent or control generation of any excess waste or overburden; continuous monitoring of overburden placed on sites; containment of any wastes; precautions to maintain stability of waste management structures; containment of any chemicals to prevent releases to the environment; reclamation of mill sites to return land to post-mining productive use.

They must comply with Air Quality standards on Federal, State and private lands. All activities on mill sites are subject to the Federal Clean Air Act; State implementation plans and State air quality laws, including the National Ambient Air Quality Standards, major source permitting, and new source review; Title V operating permits and regulation of hazardous air pollutants and control of fugitive dust.

Mines must also comply with the Surface Water Quality on Federal, State and private lands. All activities on mill sites are subject to the Federal Clean Water Act. All discharges of pollutants are subject to Federal discharge permits and effluent standards, as well as State water quality controls and numeric stream standards. Most mine standards are subject to a Federal zero discharge standard.

Mines must comply with the Ground Water Quality on Federal, State and private lands. All activities on mill sites must meet stringent ground water protection requirements and standards promulgated by States. Most States impose a no-discharge standard on mill site activities. The absolute minimum level of protection mandated by any State is the drinking water standards from the Federal Safe Drinking Water Act.

All activities on mill sites must obtain a Federal wetlands protection permit before placing fill or waste on a mill site.

At the end of the mine life, all activities on mill site must be closed under State laws to be stable, safe, and to remove the potential to degrade the environment.

Lastly, numerous Federal and State laws require operations on mill sites to report spills or environmental incidents and to remediate immediately. Again, reclamation of mill sites must be done to return the land to post-mining productive land use.

This measure contains the mill site provision, but it was unnecessary because all mines today have to go through a very stringent evaluation and environmental protection for mill sites. It was unnecessary to have this rider in it and certainly, I could not support that mill site, but I think this is the best bill we could get, and I want to thank the chairman for his success in getting it to the floor.

Mr. DICKS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Washington (Mr. INSLEE), who has been very concerned about environmental issues and one of our outstanding new Members.

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

Mr. INSLEE. Mr. Speaker, I must speak against this bill, and that is with due respect to the gentleman from Ohio (Mr. REGULA) who I think has been very sincere in his efforts to improve this bill. But one of the things the gentleman said struck me in his comments. He mentioned Central Park, a beautiful place loved by maybe all Americans, at least New Yorkers.

But the problem with this bill, if we give up, if we put up the white flag to the other chamber, it would allow somebody to go into Central Park if it was owned by the Federal Government and put in a strip mine, a gold mine and put as much as they want over 5, 10, 15 or 20 acres. We should not do that in Central Park and we should not do it in the forestlands of Washington where, in fact, that is going to go on if we accept that.

The problem with this bill is simple. While America wants us to go forward on the environment, this takes step by step backwards. We should go forward on mining reform; we go backward. We should go forward on forest reform; we go backward. We should go forward on oil royalties; we go backward.

My colleagues are right, we did send this bill over to the other chamber, but it came back infested with these antienvironment riders. When we sent it over to the other chamber, it was a puppy; and it came back full of fleas and now those little fleas have got to be removed from this bill.

I want to tell my colleagues why I think Americans are going to be so angry, and I think angry is the right word for it, when they hear about this continued giveaway. It is because if you go on Main Street, nothing will outrage the American people more than the giveaways to special interests, the giveaways that this body has given time after time to special interest legislation and antienvironmental riders. That should stop.

If we do not stand for the environment, we ought to stand for this House, for ourselves, for each other. When we voted 273 to say to the other chamber we will not let you shove this down our throats. We will not let you go backwards on mining reform. I do not want to encourage anyone to put up the white flag to the other chamber on this subject. We ought to stand firm.

Let me just point out, when I say this is an abject retreat on mining reform, it is. I would encourage my colleagues to look at section 337(b), which has some of the cleverest legal writing I have seen. It is a little trick in here that says basically that Congress agrees with the mining industry on their interpretation of existing law, existing law. There is a little time bomb in here that will entirely ruin our efforts.

Now, there is talk about compromise, and I understand compromise in a legislative body. But frankly, compromise in this manner, giving in to these special interests is like the guy who steals $10 from your pocket and wants to compromise by giving you five back. That is the situation with mining reform.

I am simply saying this: we are going to stand divided, unfortunately, on this. Some are going to stand for going forward on the environment and vote ''no;'' some are going to stand with going backward on the environment and vote ''yes.'' I am going to stand to go forward. It does not matter how many more stands as far as I am concerned, but the American people desire and are entitled to move forward when it comes to the environment.

Mr. REGULA. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. PETERSON), a valued new member of our subcommittee.

Mr. PETERSON of Pennsylvania. Mr. Speaker, I thank the gentleman for yielding me this time.

It is a pleasure to be a part of this committee. It has been my first year in the appropriations process, and I have found it most interesting. I found today most interesting. As I said earlier during the debate on the rule, this bill received overwhelming support from this body, and it should have. A lot of hard work went into it. I have listened here during the discussion when the minority Member spoke of the many improvements in the conference report. That was the term he used. He did not define them, but he listed many improvements. So some things are better. But it has been interesting to listen to the discussion, and I think the gentleman from Nevada (Mr. GIBBONS) explained the mining issue well.

I have been dealing with bureaucracies for 25 years at State and now at the Federal Government level, and these are debates going on between bureaucracies and people they regulate. I have been involved forever in trying to bring fairness, because I find government lawyers are not always fair and government bureaucrats are not always fair and they should not be legislating, and they are legislating. What we are trying to do is work out to make sure the appropriate people study these issues and come up with the answers. So let us go through them.

I think the gentleman from Nevada adequately explained the hard rock mining regulation. It provides a one-year moratorium. Now, I am not a mining expert, but I was told when we had the debate on the floor and told by many people who know a lot more about mining than I do that that provision would prevent many of our mines from operating that are good mines. They could not work on that limitation of land with their waste. Impossible regulation to live with. Well, we should deal with that. We should make sure that this lawyer is being fair with the mining industry. It is a vital part of our future.

The oil valuation. There is nobody here who wants oil companies to get government oil cheaper than the market price. I do not know of anybody. I do not think there are members of the government who want to take oil out of the public land for less than the value. I do not. I do not know of other members that do.

But if there is a disagreement in how to come to that price, I think we have a right to look at and have a GAO study done that will resolve that issue. Why should we not do that? We should be fair.

The grazing issue. Another issue where people have been grazing on this land for years. The BLM is way behind in the backlog, not appropriately dealing with this issue. Are we going to punish those who graze? I do not think we should. We have given the BLM extra money, we have taken a 6 month

moratorium waiting, and then they can go ahead and if the people are not appropriately using the land, they can stop their permits. These are not environmental riders that are going to devastate the public land of America. That is just not a fair statement. These are disagreements that have been brought to the table and have been given a very limited time to resolve them. That is good government. And those who want to demagogue and punch oil companies and punch grazers and farmers and shut down mining, that is their tool.

Mr. Speaker, I think we should be fair. We in Congress should set the rules on mining, not some lawyer in a department. And if we do not agree with the valuation of the price, then we should legislate what is how we sell oil. We should resolve those issues and not let bureaucrats arbitrarily do what they feel is appropriate when it is not.

This is a good bill. It is thoughtful; it has been a well-worked out compromise; it is the best we are going to get; and I think we should support it and the President should sign it.

□ 1800

Mr. DICKS. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking Democratic member of the Committee on Appropriations, who has worked very tirelessly on all of these bills.

Mr. OBEY. Mr. Speaker, let me start by stipulating that the chairman of the subcommittee is one of the finest Members of this institution. I have had the privilege of serving with him for many years, and I think he has graced this body with dedicated service. I think he is thoughtful. I think he is fair-minded, and I think he is a fine chairman of this subcommittee.

I wish that the bill that he brought to the floor was of the same quality as he is, because there would be no dispute if it were.

Let me simply say that we have heard a number of speeches from our friends on the Republican side of the aisle in which they have feigned surprise at the fact that there is so much opposition to this bill, given the fact that there were so many votes for this bill when it originally passed. I think if we want to understand why that is so, all we have to do is take a look at the motion to instruct conferees which passed this body just a few weeks ago.

This House, by a margin of over 20 votes, I believe, on a bipartisan basis, asked the conference committee to do a number of things. They asked us to go to the Senate level on funding for the arts. We did not do that in the conference committee. The conference committee made no compromise whatsoever with respect to the arts and brought the bill back still at the House level.

The motion to instruct that was adopted by this House on a bipartisan basis also asked the conferees to strip out all of the anti-environmental riders and, in fact, the conference committee did not. In fact, a number of these riders were not even in the House bill when the House bill passed originally. They were added in the other body.

So, again, this conference report does not measure up to the standards that this House set for it in its motion to instruct conferees, and we set those standards on a bipartisan basis with many people on that side of the aisle voting with us, urging the stripping of those riders.

That motion to instruct also asked them to drop the provision on mining so that mines cannot continue to go beyond the authority given to them under the 1872 law, in ruining the environment around them. Again, the conference did not drop that provision.

So I think we should not be surprised that this House is now going to find many votes opposed to this bill.

We are going to be voting against this bill essentially for three reasons. First of all, because the bill in many respects, with respect to the environmental riders is in worse shape than it was when it left the House originally.

Secondly, it contains a number of the provisions on these riders which the House asked the conference to strip and which the conference committee did not, in fact, carry out.

Thirdly, we feel that the conference report does not sufficiently take account of the opportunities available to us to save precious natural resources by meeting the President's request or something close to it for his Lands Legacy Program. That is all that is involved here. It should not be a surprise. From the beginning, from the get-go, we have known that this bill needed to be improved in order to achieve a large number of bipartisan votes, and under those circumstances, since the House leadership has chosen to bring that bill to us without the improvements that the House itself said it wanted when we first sent the conference committee to conference, we have no choice but to stick by our convictions and oppose the bill at this point.

I hope that after it goes down to the White House and is vetoed, the conference committee will take seriously the instructions of the House and take seriously the requests of the President of the United States. And when they do, with the few reasonable compromises, we can have a bill which will indeed reflect the same kind of quality that the gentleman from Ohio (Mr. REGULA) has reflected in all of his years service in this House.

Mr. REGULA. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I thank the gentleman from Wisconsin (Mr. OBEY) for his comments, and I would say that always in our dealings maybe we disagreed but he has been honorable about it, and I think that is a great quality in this institution.

Let me just say to the Members that are here and that are out there in TV land that here is an opportunity to enhance the legacy that we leave, as legislators, an opportunity to ensure that our public lands will be better when we leave than they were when we came here; an opportunity to tell the people of America that we care about the experience they will have; that we want to ensure that they are well maintained and that we enhance them wherever possible and that they can enjoy in the future generations the same experience we have had with this legacy.

I saw the smile of the gentleman from Massachusetts who brought up the metaphor of baseball. Being from the Cleveland area, I was not in a position to say a whole lot, but if I had been from New York it would have been a little easier.

In any event, let me just close by saying to everyone, we have an opportunity today, by voting ''yes,'' to hit a home run for America.

Mr. NADLER. Mr. Speaker, I rise today in strong opposition to the Interior Appropriations Conference Report.

There are plenty of reasons to vote against this bill, from its anti-environmental riders to the dramatic cuts in the President's Land Legacy Initiative. But most distressing is that once again, in what has become an annual event, the Appropriations Committee has shortchanged the National Endowment for the Arts of much-needed funding.

The NEA suffered a 40% cut in funding in 1996 to $99.5 million and it has been cut even further to $98 million the last two years, the lowest appropriation to the NEA since 1977, over 20 years ago. The bill that passed the House in July maintained this level once more. As the nation is experiencing historic levels of prosperity, it is time to increase our commitment to the arts. And it seemed, just a few weeks ago, that we had taken a first step toward renewing this commitment. This House voted to instruct our conferees to accept the Senate's modest $5 million increase to bring NEA funding to $103 million. But once again, we have fallen short of our promises. Indeed, our own conferees ignored the wishes of this House and insisted on level funding for the third consecutive year. This is a snub to our colleagues as well as to the arts community.

It is a tiny amount of money that we are talking about. A fraction of one percent of our entire federal budget. But these dollars yield dividends that far outweigh the investment. Throughout its thirty-year history, the National Endowment for the Arts has contributed to the tremendous growth of professional orchestras, non-profit theaters, dance companies, and opera companies throughout the country. The NEA helps support the non-profit arts industry which generates more than $36 billion of business annually, 1.3 million full-time jobs, and returns $3.4 billion in federal taxes every year.

The NEA also supports arts education, which is essential in developing critical thinking skills such as reading, math, and science. It builds important workplace skills such as creative problem solving, allocating resources, team building, and exercising individual responsibility. Arts education programs also help to discover and train the next generation of artists. These programs will all suffer as a result of our shortsightedness.

Let's remember that the NEA has an important impact on the arts throughout the country. The NEA stimulates the growth of local arts

agencies and investment in the arts by state and local governments. Before the NEA, only five states had state-funded arts councils. Today, all 50 states do. Many of these local agencies have formed partnerships with local school districts, law enforcement, parks and recreation departments, chambers of commerce, libraries, and neighborhood organizations. Innumerable small towns and cities across America have benefited tremendously from federal investment in the arts.

And the NEA has made special efforts to expand its reach into every community in this nation. The funding increase was to go to ensure that it had the resources to carry out this initiative. So, I hope that none of my colleagues will complain next year that their district received no grants from the NEA because it is their own fault that its reach will be stunted.

Once more, the Republican leadership has worked to restrict the growth of the arts in America. And we cannot rely on private money to make up the shortfall when we withhold funding. In fact, since NEA funding is often matched by private organizations, when we withhold public dollars we stifle efforts to generate private donations.

Mr. Speaker, the NEA is a crucial tool in building a vibrant arts community across the nation. We must do more for our artists and cultural institutions. I urge my colleagues to vote against this bill.

Mr. MALONEY of Connecticut. Mr. Speaker, I strongly oppose passage of H.R. 2466, the Fiscal Year 2000 Interior Appropriations Conference Report. Passage of this conference report is not only fiscally irresponsible, but it is also environmentally destructive. I urge everyone to oppose this bill.

Again and again, we have seen the majority bring conference reports to the floor that we simply cannot afford to pass if we intend to live within the budget caps. Anyone who is concerned about saving Social Security should vote against this report.

Just as bad, this bill contains virtually all of the anti-environmental riders from both the House and Senate versions of this legislation plus three new and equally harmful riders. For that reason as well I strongly oppose this conference report and will continue to oppose any legislation that weakens environmental laws, and infringes on public health, public lands, and the public treasury. I urge all of my colleagues to exercise fiscal and environmental responsibility, and vote 'no' on this conference report.

Mr. PORTMAN. Mr. Speaker, I supported the Department of Interior appropriations conference report, and commend Chairman RALPH REGULA who, despite strict budget restraints and difficult negotiations with the Senate, crafted a good bill. However, I do wish to express my opposition to the many policy initiatives, or so-called riders, that were added by the Senate and included in the report. The legislation overwhelmingly passed by the House on July 15 was far superior to the product returned by us by the Senate.

I am concerned that these riders included in the conference report will delay the implementation of necessary rules and regulations that help protect the environment. Furthermore, I am very concerned that the riders single out certain industries and organizations for special protection which gives them an unfair advantage over others.

My biggest concern, however, is that these initiatives will be paid for by every hardworking taxpayer. We should not ask the American people to pay for the kind of inappropriate, costly measures that have not been properly considered or authorized. Major policy decisions, such as these, should be considered by the appropriate authorizing committee after hearings and debate.

Mr. Speaker, overall, I believe the conference product is a good one. In the future, however, we should resist the temptation to attach inapproirate policy intiatives appropriations bills.

Mr. BEREUTER. Mr. Speaker, this Member rises today to express his great appreciation to the distinguished gentleman from Ohio (Mr. REGULA), Chairman of the Interior Appropriations Subcommittee, and the distinguished gentleman from Washington (Mr. DICKS), the Ranking Member on the Subcommittee, and to all members of the conference committee for the inclusion of a $10 million appropriation for the first phase of construction for a replacement Indian Health Service (IHS) hospital located in Winnebago, Nebraska, to serve the Winnebago and Omaha tribes. Of course, the conference committee is already well-aware of the ongoing situation with this hospital. Indeed, last year the Interior Appropriations Subcommittee kept the process going by including funds to complete the design phase of the project for which this member and Native Americans in the three state region are very grateful. Now, construction dollars are needed.

Unfortunately, the Office of Management and Budget overruled Indian Health Service's FY2000 budget request for the first phase of construction, so there was no request by the Administration. Once the design is completed, it is important to begin funding for the first phase of construction without a delay. If there is a time lapse between completion of design and construction, it is very possible that costs will increase, making this project more expensive. That is why this appropriation action at this time is so critical.

In closing Mr. Speaker, this Member wishes to acknowledge and express his most sincere appreciation for the extraordinary assistance that Chairman REGULA, the Interior Appropriations Subcommittee, and the Subcommittee staff have provided thus far on this important project and urges his colleagues to support the bill.

Mr. VENTO. Mr. Speaker, I rise today in strong opposition to the Interior Appropriations Conference Report. Since the Republicans took over the House, they have had the dubious distinction of using this spending bill to make substantive, and often controversial, policy changes. Most often, these decisions were in direct contrast to public interest and sentiment. Thus, it comes as no surprise, that we are on the floor debating mischievous attempts by the Republican majority today to undermine and roll back sound environmental policy originally designed by Congress to protect the land that each and every American rightly owns.

The most egregious example of this is the Majority's attempt to kill the oil valuation rule. Although it rolls back no environmental policy, it is a slap in the face to the American taxpayer and costs them millions of dollars every year. On October 1, 1998, the Department of the Interior attempted to correct the underpayment of $68 million a year in oil royalties not paid by cash laden oil producers to implement a new rule that would raise the royalty fees on oil and gas pumped from public lands. Specifically, the new sound royalty rate would tie the price of oil to the commodity market instead of murky negotiated deals between producers and buyers.

The effect of this rule was to curtail the practice of using posted prices to determine oil royalties. For two, now three straight appropriations processes, Congress has barred Interior from finalizing this rule in hopes that a compromise could be reached. It seems that the only compromise that can be reached regarding this issue is nothing short of the status quo, or if the oil industry had its way, they could pay the government in crude.

The oil industry has skillfully underpaid the government more than $3 billion and now they are complaining that the government is cheating them and driving them out of business. These accusations should infuriate everyone in this chamber. In the name of profit, big oil has cheated the American public, Indian tribes and our school children by denying them revenue for programs that rightly should benefit them. Delaying implementation of this rule any longer continues to show how money talks and the publics' rights walk in halls of Congress.

The Majority has also engaged in another attempt to weaken what little environmental protections that the 1872 Mining Law affords. The House's willing acceptance of the Senate's Millsite Rider astounds me. This rider, which amends the 1872 Mining Law, is contrary to the Administration's legal interpretation of the law and goes against two overwhelming House votes against this issue.

The Administration's interpretation of the millsite provision was an important step in promoting environmentally sound mining practices that have already cost the taxpayer $32–$72 billion in clean up costs. Mining today has wreaked havoc on the environment since the introduction of chemical leach technology that made the mining of low grade ore economically viable. Although this technology turned once profitless mines into profitable ones, it requires significant tracts of land on which to dump toxic fluid mining waste. The House broadly supported the Administration's decision to reinforce the Millsite provision after years of ignoring, but under Senate pressure, the House caved to their demands and rolled back one of the last environmental protections afforded in the Mining Law.

There are numerous other unpalatable riders tacked onto this legislation including denying millions in funds for the President's Lands Legacy Initiative to purchase privately held land located inside and adjacent to our national parks and forests, extending the moratorium on stronger hard rock mining regulations on mines that already exist on federal lands, the automatic renewal of grazing leases, waiving Forest Service and Bureau of Land Management requirements to conduct wildlife surveys before beginning timber sales on national forests and public lands, numerous directives that diminish Indian programs, prevent the Park Service from restoring natural quiet in the Grand Canyon National Park, the list goes on and on.

In addition to the anti-environmental riders, the House refused to even agree to a modest funding increase for the National Endowment for the Arts. As a Member of the Resources

Committee, I know all too well that the beauty of our national parks and public lands are an important part of our national heritage. As Members of Congress, we fight for every dollar that we can get to preserve and protect those public lands in our districts. In the same respect, we cannot afford to not fund the arts. Our nation is just as defined by its lands as by its melting pot of different cultures and ideas put to canvas, carved from stone, or seen on film. Instead, Congress is trying to shift America's cultural foundation to popular political tastes. As representatives of the people, we should take no part in stifling and sterilizing the creative development of our nation. Congress should encourage it—Not thwart such expression.

As we debate the multitude of riders tacked onto this conference report, we cannot forget the overall story this bill tells. This story is about the Republican Majority attempting to dictate important policy decisions through the appropriations process. The line that divides the authorizers from the appropriations is becoming transparent. The Committee process is becoming something of a joke. When a Member has a controversial issue to discuss, he or she does not bring it before the House. He or she sneaks it into a spending bill where it receives little or no Congressional scrutiny. Nothing is gained by this process. It allows the feelings of mistrust and abuse to fester, and forces Members to vote against important legislation. This is not the land of special interests and payoffs. It is the land of every American citizen. As such, I urge my colleagues to vote no on this legislation and work to report a new, clean bill to the President.

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

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

The SPEAKER pro tempore (Mr. SHIMKUS). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 225, nays 200, not voting 8, as follows:

[Roll No. 528]

YEAS—225

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berkley
Biggert
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cannon
Chambliss
Chenoweth-Hage
Coble
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Kaptur
Kasich
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun (KS)
Salmon
Sandlin
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)

NAYS—200

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barr
Barrett (WI)
Becerra
Berman
Berry
Bilbray
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Coburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Franks (NJ)
Frost
Gejdenson
Gephardt
Gilman
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hostettler
Hoyer
Inslee
Jackson (IL)
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lantos
Larson
Lazio
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sanford
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Toomey
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Woolsey
Wu
Wynn

NOT VOTING—8

Camp
Jackson-Lee (TX)
Jefferson
McCarthy (MO)
McCarthy (NY)
Scarborough
Vento
Young (FL)

□ 1831

Mr. KILDEE and Mr. GREEN of Texas changed their vote from ''yea'' to ''nay.''

Messrs. NUSSLE, SESSIONS, SANDLIN, and LAMPSON changed their vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1598

Mr. BRYANT. Mr. Speaker, I ask unanimous consent that the name of the gentleman from California (Mr. THOMPSON) be removed as cosponsor of H.R. 1598.

The SPEAKER pro tempore (Mr. SHIMKUS). Is there objection to the request of the gentleman from Tennessee?

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2260, PAIN RELIEF PROMOTION ACT OF 1999

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 106–409) on the resolution (H. Res. 339) providing for consideration of the bill (H.R. 2260) to amend the Controlled Substances Act to promote pain management and palliative care without permitting assisted suicide and euthanasia, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ACADEMIC ACHIEVEMENT FOR ALL ACT (STRAIGHT A's ACT)

Ms. PRYCE of Ohio. Mr. Speaker, by the direction of the Committee on Rules, I call up House Resolution 338 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 338

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the

House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2300) to allow a State to combine certain funds to improve the academic achievement of all its students. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed two hours equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill, modified by the amendments printed in part A of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. Points of order against that amendment in the nature of a substitute for failure to comply with clause 4 of rule XXI are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instruction.

The SPEAKER pro tempore. The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, for purposes of debate only, I yield 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), the ranking member on the Committee on Rules, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 338 is a structured rule providing for the consideration of H.R. 2300, the Academic Achievement for All Act, also known as Straight A's. The Straight A's Act encourages innovative education reform that will better prepare our Nation's children for the 21st century.

We have made a huge investment in education at the Federal level, yet we are not seeing the positive results each time we add more dollars and resources to Federal education programs. I think we all agree to some degree of failure at the Federal level, or education would not top the list of both parties' legislative agendas. Yet, while we agree that reform is necessary, Congress has a hard time coming together on the one solution that will give a better future to every child.

That may be because there is not one solution. Each school is different and each child is unique, so how can we find the answer, the answer, that will make every school a first-rate institution and help every child reach his or her full potential? The Straight A's bill recognizes that such an individualized task may be beyond the reach of the monolithic, far-removed Federal Government.

This legislation suggests that we look to those who are most familiar with the school systems and who are closer to the students to implement education policies and reforms that will make a real difference. Instead of making schools fit into a mold of a Federal education program, Straight A's lets States and school districts create their own programs and use Federal dollars to make them work.

Straight A's is an option, not a mandate for States. The only requirement is results. Each State that participates must sign a 5-year performance agreement and a rigorous statewide accountability system must be in place to participate. States must report annually to the public and the Secretary of Education as to how they have spent their funds and on student achievement. The bill provides penalties for failure, and it rewards results.

That does not sound so bad, does it? I would even say it is hard to argue against this type of flexibility and change, given the shortcomings of our education system under the status quo. But as my colleagues know, this bill is not without controversy. Whether it is fear of change, a distrust of State government, or healthy skepticism, there are a number of Members who are concerned that the flexibility offered to States through this bill is too broad.

Happily, there has been a compromise, and this rule implements a reasonable middle ground by limiting to 10 the number of States that may part in Straight A's. With adoption of this rule, the Straight A's Act will become a pilot program rather than a nationwide policy.

In addition to this amendment, which is printed in part A of the report of the Committee on Rules, an amendment to remedy a direct spending issue will be incorporated into the text of the bill when the rule is adopted.

The rule provides for 2 hours of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The House will then have the opportunity to consider two amendments printed in part B of the Committee on Rules report. One is the manager's amendment to be offered by the gentleman from Pennsylvania (Mr. GOODLING), which will be debatable for 10 minutes. The other is an amendment to be offered by (Mr. FATTAH), which will be debatable for 20 minutes.

Two amendments may not seem very generous, but of the amendments filed with the Committee on Rules, only one amendment was denied. And it was a Republican amendment, which was not germane to the bill. So I think the rule is very fair to the minority and to the Members of this House who sought to amend this legislation.

I should also mention that the rule provides an additional opportunity to change the bill through a motion to recommit with or without instructions. In addition, to give the Chair flexibility and for the convenience of the House, the rule allows the Chair to postpone votes during consideration of the bill and reduce voting time to 5 minutes on a postponed question, if preceded by a 15-minute vote.

Mr. Speaker, let me reiterate that this rule implements a compromise that will allow 10 States to escape from the red tape of Federal Rules and regulations to implement the education reforms that they guarantee will improve student performance. These 10 States may use Federal dollars, including Title I funding, as they see fit, to raise academic achievement, improve teacher quality, reduce class size, end social promotion, or whatever they feel is required in their schools to meet their performance goals. And the compromise ensures that States continue to address the needs of disadvantaged students.

With this compromise, we are moving forward with education reform in a measured way that builds upon and follows the successful model of the Ed-Flex program, which has now been expanded to all States. If the Straight A's program proves as popular, we will come back to this body and work to give all States the freedom to implement innovative reforms and help their students.

I hope my colleagues will join me in supporting this fair rule, which finds a middle ground and accommodates virtually all Members who have expressed an interest in improving this legislation. I urge a ''yes'' vote on the rule and on the Straight A's bill.

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

Mr. MOAKLEY. Mr. Speaker, I thank my colleague and my dear friend, the gentlewoman from Ohio (Ms. PRYCE), for yielding me the customary half-hour, and I yield myself such time as I may consume.

Mr. Speaker, I am very sorry to see my Republican colleagues taking apart Federal education programs for disadvantaged children today, especially since earlier today the House passed an education bill authorizing $8.35 billion for Title I programs. Today's bill, the

anti-accountability act, will steer funds away from the high poverty areas and gut the accountability standards that passed the Committee on Education and the Workforce 2 weeks ago.

Mr. Speaker, these are the children with the greatest need. If the Federal Government does not provide them with some assistance, there is no guarantee that they will get it from the States. Specifically, Mr. Speaker, this bill will eliminate national education funds targeted towards schools in poor neighborhoods and turns them into one big block grant with which States can do anything they want, including buy band uniforms or build swimming pools.

If my colleagues believe this money will go towards the poor children, let me cite a General Accounting Office study that found that 45 States give less of their education funds to poor children than the Federal Government does. And, Mr. Speaker, those children deserve all the help we can give them. Poor children growing up in the United States have it bad enough. While their parents struggle to move off welfare, many of them are getting poorer and poorer. Meanwhile, their neighborhoods are filthy and violence ridden. Now, to add insult to injury, the Republican bill dismantles what little educational safety net they have left.

It is very shortsighted, it is dangerous, and I would say it is even cruel. In the long run, it will widen the chasm between the rich and the poor in this country, and that is very bad for everyone.

Mr. Speaker, this bill guts teacher training, technology, and school safety. It lumps all funds together, diluting their impact and ensuring Federal education programs get even less money next year.

□ 1845

Furthermore, Mr. Speaker, this bill eliminates any accountability in education funds. In other words, States can spend their money on anything, accomplish nothing, and no one will suffer except poor children.

I would remind my colleagues that the Federal investment in education has worked because schools were held accountable. Mr. Speaker, it worked because schools were held accountable. Now is not the time to stop.

Congress has just passed the Elementary and Secondary Education Act making schools accountable to parents, teachers, and, most importantly, students. This bill scratches all that. It says Congress changed its mind and now does not require any proof that schools are spending money in a way that benefit children's education.

The National Coalition for Public Education, the National Education Association, and the American Federation of Teachers oppose this bill very strongly. They agree that we need to reduce class size and make sure that all our children, even those in high-poverty areas, have the best possible teachers.

But this bill will not do that, Mr. Speaker. This bill will turn back the clock on years of Federal efforts to direct funds toward low-income children, and it should be opposed.

Mr. Speaker, Congress created some of these Federal education programs because many State education programs failed to meet the special education needs of neglected and homeless children. Now Congress is reversing its efforts away from poor children, the children who need it the most.

I urge my colleagues to oppose this bill.

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

Ms. PRYCE of Ohio. Mr. Speaker, I am pleased to yield 6 minutes to my distinguished colleague, the gentleman from Delaware (Mr. CASTLE), chairman of the subcommittee.

Mr. CASTLE. Mr. Speaker, I thank the gentlewoman from Ohio (Ms. PRYCE) for yielding me the time.

Mr. Speaker, let me just start by saying a couple things. Let me say first, I do not now disagree with a lot of what the gentleman from Massachusetts (Mr. MOAKLEY) said in terms of these programs and what they do, and I think we all need to realize that as we debate this legislation.

I am the one who introduced an amendment at the Committee on Rules to reduce this from a full 50–State program to a 12–State pilot program, of which six of those 12 States would be able to do Title I as well as the other aspects of ESEA.

Title I is determined for economically disadvantaged students, and then it helps those who are academically disadvantaged. That is the program that concerns me a lot. I was very worried about even doing anything with respect to a pilot on that particular program.

After some negotiation and resolution, we made it a pilot program for 10 States, all of which could basically take all the parameters of the Straight A's Act and be able to do that. They would be selected by the Secretary of Education.

I think it is important to understand what a pilot program is, because I have not been the greatest supporter of the Straight A's program from the beginning; and going to even supporting a pilot program has not been that easy for me. But a pilot program for me, essentially, in this reauthorization would be under a 5-year time limit.

The various States, and there have been 10 or even more governors who have asked for this by the way, would have to put together a plan and present it to the Secretary of Education in a competitive sense; and then the Secretary of Education would make a determination as to which States would be able to go into the pilot program and there could be no more than 10 States.

What are they going to look for in that particular plan? The plan must help disadvantaged children. And there is an accountability measure to all of this which we do not have now in some of these programs, which I am going to talk about in a minute; and it must show how they are closing the gap between those who are disadvantaged presently served under various ESEA programs, Elementary and Secondary Education Act programs, and the other students who are there, something which does not happen today.

Now, what do we have today? Why should we even consider making any changes whatsoever or why should we take a chance on that? Because I consider it to be nothing more, really, than taking a chance.

Well, under the ESEA, we have first and, I guess, foremost the Title I program. That should be familiar to everybody in this chamber. Everybody just voted on that. Most, as a matter of fact a large majority, voted to what I think was a major improvement in Title I just an hour or so ago right here on this floor. That is the aid to disadvantaged students. At least that is how it is determined from an economic point of view. Then when it goes down to the schools, it takes care of those who are academically disadvantaged who may or may not be the exact same population.

But it includes other things. Part B, for example, of Title I is the Even Start Family Literacy Program. We have a Migrant Education Program in part C. We have a Neglected and Delinquent Children in part D. We have an Eisenhower Professional Development to help develop teachers as part of this, too. We have education technology. We have safe and drug-free schools, and the D.A.R.E. program, I believe, comes under that part of it. We have the Innovative Education Block Grant, which a lot of States obviously like. We have Class Size Reduction. We have Comprehensive School Reform. We have the Emergency Immigrant Education. We have a Title III of Goals 2000, and a Perkins Vocational Technical Training. And we have the McKinney Homeless Assistance Act.

What we do not have here, by the way, is IDEA. That has been excluded from what we are dealing with here.

Now, obviously, if one knows anything about the Federal role in education, these are all programs which basically help targeted parts of our population who need perhaps special help. The economically disadvantaged, the immigrants, the people who are having language problems in our country, for example. For the most part, those are the kinds of individuals who are being helped by this program.

The question then arises, have we really helped these kids? And we have not really measured that very well. We certainly had the programs in place. People are getting paid. People have taken the floor here today and said that Title I simply has not worked. I do not agree with that. I think Title I has actually helped a number of kids.

Do I think Title I can work better? My colleagues better believe I think Title I can work better. Do I think these other programs could work better? I absolutely believe that each program on here could work better.

So this is a deal where the Federal Government creates a program, hands the money and the outlines of the program down to the State and then down to the local school districts and the local schools, and they have to carry it out; and some place betwixt and between, something sometimes falls through the cracks and it does not work that well.

So a number of people got up and they said, we need to do it differently. We can do it differently. Give us that opportunity to do it differently. And they came and they came with this amendment.

Well, I think the Straight A's bill to have all 50 States do this at their option personally went too far. That is my own view of it. And I believe that we needed to make some changes, and that is why I introduced the amendment and we worked down to the 10 States that we have now.

Now, in addition to that, I am also concerned about the disadvantaged, as well, because I do not want them to fall through the cracks in this. I think these governors and these States are going to be able to put together programs that are going to help move some of these people. And if they can, God love them if they can do that. We will have an improved education situation for our kids. We can all learn from that. And that is what pilot programs are all about.

I am later going to have a colloquy with the chairman of the committee; and it is going to state, In addition, the amendment assures that if a State includes Title I, part A aid to disadvantaged students in its performance agreement, it must ensure that the school districts continue to allocate funds to address the educational needs of disadvantaged students.

I want to make sure that language is part of the Record. I wanted it to be part of the bill, but for technical reasons it did not work out. I want it to be part of the Record here.

I think if we do all these things, we are taking a chance. Maybe it is a chance that some people do not want to take, and maybe they will vote against it for that reason. But I think it is a chance that is at least worth trying. I do not think any great harm will be done if it did not work for one reason or another. Because of all the accountability that is in there, I think it will work.

So, for that reason, I am supportive of the rule.

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

Mr. Speaker, I think we can tell a lot about the bill by who supports it and who opposes it. I would like to read off the list I have of people who are supporting it and opposing it.

The people who support this bill are the Americans for Tax Reform, Citizens for a Sound Economy, Eagle Forum, Educational Policy Institute, Empower America, Family Research Council, Home School Legal Defense Association, National Taxpayers Union, and the Union of Orthodox Jewish Congregations of America.

My colleagues did not notice too many teachers' organizations there.

Now these are the people who are opposed: The National Education Association, American Federation of Teachers, Council of Chief State School Offices, Council of the Great City Schools, National Association of Elementary School Principals, National Association of Secondary School Principals, National Association of State Boards of Education, National Association of State Directors of Special Education, National Governors Association, National PTA, American Jewish Committee, American Baptist Joint Committee, Americans United for Separation of Church and State, National Urban League, Union of American Hebrew Congregations, Service Employees, International Union, and United Auto Workers.

I think we can deduce something by the people for and against this bill.

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

Ms. PRYCE of Ohio. Mr. Speaker, I am pleased to yield 3 minutes to my colleague, the gentleman from Colorado (Mr. SCHAFFER).

Mr. SCHAFFER. Mr. Speaker, I thank the gentlewoman for yielding me the time.

Mr. Speaker, the previous speaker, in opposing the rule and the bill, cited a great number of political organizations and associations that have some opinion about the Straight A's proposal. Several of these associations are on one side. Others of these political groups and associations are on another side. The implication being is that that is how we should measure the merits of the legislation before us.

I think we ought to try something different. I think we ought to focus on the children who are ultimately those who are affected most directly by the legislation we consider.

This is an opportunity that we have, passing the Straight A's bill to give governors and States a real chance, a chance to snip the rules, the regulations, the strings, and the red tape that have bound up these organizations, these States, these governors, State legislators, superintendents, school boards, and so on and so many, many years and made it virtually impossible, certainly difficult, to really help these children.

What we have in Federal law today is program after program after program which has developed its own constituency, and we just heard the names of them read. Certainly some of these constituency groups have positions on a bill like this. Some of their authority is threatened because that authority is derived from the laws have been created here in Washington with respect to education.

This is an opportunity to vote for a rule and vote for a bill that changes the laws that actually help children for a change.

I would like to ask the body to consider a letter I just received from my governor. It says, ''I am writing to ask you to support the Straight A's Act. As the Governor of the State of Colorado, and as the father of three children who attend three different public schools, I am proud to put my full support behind this legislation.

''By passing Straight A's this year, you have the opportunity to further public education reform. K–12 education in America is predominantly a local issue, and States need the flexibility to promote real student achievement in public education.

''This legislation would allow the diverse areas, schools, and people of Colorado to decide what they need most for their schools. Common sense tells us that the needs of Dinosaur Elementary School in rural Dinosaur, Colorado, with a total student body of 46, will have different needs than the 766-member student body of Oakland Elementary School in Denver, Colorado.

''This legislation would be an important step in providing for the individual needs of our differing public schools. I urge your support for the Straight A's Act, which puts children first and realizes that local communities know what is best for their local schools.''

I confess, Mr. Speaker, that I would like to see this kind of liberty and this kind of objective be achieved in all 50 States. The reality being, all of the Members of the House do not agree on that. But the rule allows for a bill to move forward that gives 10 States the chance to use liberty and freedom of the Straight A's Act to fix their schools and promote quality education, and it is on that basis that I ask Members to adopt the rule.

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

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, let me remind my colleagues that this rule is very fair. It not only amends the bill to bring it to a more moderate position, but it actually accommodates all but one Member who filed amendments with the Committee on Rules.

There may be an argument about the direction in which the Straight A's bill moves other education policy, but there should be no controversy over the fairness of this rule.

No matter what my colleagues' position on the Straight A's approach of moving education decisions away from Washington and into the hands of the States and local school districts is, today we will all have an opportunity to engage in a serious debate about the value of Federal education programs

and the role the Federal Government should play in helping children learn. This is a debate that is critical to the future of our Nation.

So I hope my colleagues will join me in supporting this rule, participating in today's debate, and working to give our children every opportunity to meet their full potential. I urge a ''yes'' vote on the rule and on the Straight A's Act.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MOAKLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 214, nays 201, not voting 19, as follows:

[Roll No. 529]

YEAS—214

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shaw
Shays
Sherwood
Shimkus
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)

NAYS—201

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Coburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Graham
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Shadegg
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—19

Boehner
Camp
Cummings
Dooley
Fattah
Hinojosa
Jackson-Lee (TX)
Jefferson
Kennedy
Lipinski
McCarthy (MO)
McCarthy (NY)
Nadler
Oxley
Royce
Scarborough
Shuster
Weldon (PA)
Young (FL)

☐ 1922

Mr. ABERCROMBIE changed his vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to House Resolution 338 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2300.

The Chair designates the gentleman from Indiana (Mr. PEASE) as the Chairman of the Committee of the Whole, and requests the gentleman from Florida (Mr. MILLER) to assume the chair temporarily.

☐ 1922

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2300) to allow a State to combine certain funds to improve the academic achievement of all its students, with Mr. MILLER of Florida (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Missouri (Mr. CLAY) each will control 1 hour.

The Chair recognizes the gentleman from Wisconsin (Mr. PETRI).

Mr. PETRI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the bill before us is a permissive one. It allows States and local districts the option of establishing a 5-year performance agreement with the Secretary of Education. In return for this performance agreement, they will get greater flexibility to use their Federal dollars as they determine with vastly slashed paperwork. Straight A's puts academic results, rather than rules and regulations, at the center of K to 12 programs. It works on the same premise as charter schools, freedom in return for academic results.

Straight A's grants freedom and puts incentives in place for States to enable schools to innovate and to educate children as effectively as possible. States lose their flexibility in 5 years if they do not meet their goals and in 3 years if their student performance declines for 3 years in a row. On the other hand, States and school districts are rewarded if they significantly improve achievement and narrow achievement gaps.

Now, Mr. Chairman, Straight A's creates a relationship with States where Uncle Sam is the education investor, not the CEO. Since the Elementary and Secondary Education Act was passed back in 1965, our approach from Washington to aiding schools has been a bit heavy-handed.

It has relied on strict regulations of what States and communities may do with their Federal dollars and what priorities they must set, and that has not worked very well. Evaluations of dozens of ESEA programs make clear that the rich-poor achievement gap has not narrowed since 1965, that schools are neither safe nor drug free, and that much of the professional development money that we have spent has been wasted. Straight A's is voluntary. States do not choose this option. They will continue to receive funds under the current categorical program requirements. They will be protected.

But, Mr. Chairman, we owe it to our children to allow States the opportunity, the option, of participating in such a program. If Congress can agree to this ambitious experiment, then 5 years from now, when the next ESEA cycle comes around, we certainly will know a great deal more about which visions will best guide the Nation's schools. Until then all we are doing is throwing money at a set of sometimes broken programs.

I would like to commend the gentleman from Pennsylvania (Mr. Goodling), our chairman of the Committee on Education and the Workforce, for working out this bill. I think it is one of the most innovative and potentially far-reaching bills to come out of committee in my 20 years there, and I urge all of my colleagues to support it.

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

Mr. CLAY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to this bill. Republicans on the Committee on Education and the Workforce have decided to take a giant step backward in providing for the most disadvantaged public schools and their pupils.

Just 5 hours ago this body passed H.R. 2, a bill to target Federal funds to poor, disadvantaged children. That bill was passed with overwhelming bipartisan support.

Now, if we enact H.R. 2300 tonight, it would eviscerate the enhanced targeting and accountability provisions contained in that bipartisan bill. Despite the majority's claim to the contrary, their high-sounding Academic Achievement For All act does nothing to ensure that Federal funds will help children improve their scholastic abilities. It does nothing to support practices which are proven to raise student achievement.

The bill essentially gives States billions of dollars in the form of revenue sharing without accountability for local educational providers or for protection to our most disadvantaged students. This bill permits States to use Federal funds to support private school vouchers and ignores Federal priorities for class size reduction, for teacher quality and for professional development. It creates a massive, yes a permissive, block grant where governors conceivably can spend Federal dollars on virtually anything from swimming pools, band uniforms to private school vouchers.

Even though this bill is designed to please the governors at the expense of local school districts, the National Governors' Association has sharply criticized this bill's abandonment of poor children. In an October 8 letter to Congress the governors wrote, and I quote:

''We governors recognize the link between the concentration of poverty and low educational achievement.

□ 1930

In schools with the highest proportion of disadvantaged children, students are less likely to achieve at higher levels. We would suggest that the Federal Government continue to concentrate Federal funds on these schools. Such support is essential, given that the Nation is truly committed to the belief that all students can achieve at higher levels. Only with a change to continue the targeting of Title I funds would the National Governors Association be able to bring bipartisan support to the legislation,'' end of the quote, Mr. Chairman, from the National Governors Association.

Mr. Chairman, we need legislation that will help communities by raising academic performance through smaller class sizes, by holding schools accountable for achieving high academic standards, and by helping every school become safe and disciplined, and we need to replace dilapidated and crumbling schools.

The Republican majority calls this bill Straight A's, but those closer to and more knowledgeable about the problems of our educational system see this bill as a cheap political gimmick designed to provide Republicans with 30-second sound bites at campaign time.

Let us get real, Mr. Chairman. Let us address the serious issues of this Nation's educational deficiencies. Let us defeat this bill.

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

Mr. PETRI. Mr. Chairman, I yield 6 minutes to our distinguished colleague, the gentleman from California (Mr. CUNNINGHAM), a former member of the committee.

Mr. CUNNINGHAM. Mr. Chairman, I miss the days back on the committee with the gentleman from Missouri (Mr. CLAY). I remember when Chairman Ford, I remember when the gentleman from Michigan (Mr. KILDEE) was my chairman, and then I took over as the chairman, and we worked real good together. I want to tell my colleagues, as much as I feel that the liberal philosophy and even further left than liberal is wrong, and it does not work. We have not always been right on our side, and that philosophy has not always been wrong.

I do not know if, in place, this bill will be good or not. I think it will be, and I want an opportunity to prove it.

Now, my colleague on the Committee on Rules a minute ago mentioned, look at the groups that support and look at the groups that do not. When I was on that committee and the gentleman from Michigan (Mr. KILDEE) was there, I asked a question to the President of the NEA, because I was upset at him because he represented the union issues and not the children. And I asked the President of the NEA, I said, kind of an attack, I said, when are you going to start supporting the children instead of the union social and liberal issues. And his response was, when they start paying my salary. I thought that was terrible.

Yes, I think we will find the leaders of the unions are opposed to this. But I think that we will find the rank and file teachers, the administrators, the community where we put the control in their hands, are in favor of it. And by the gentleman's very testimony just now in the Committee on Rules, I say to the ranking minority member, the gentleman does not trust the very people that we allow to teach our children, the governors, to make the decisions, the teachers, the parents, the administrators. That is where the difference lies. The gentleman thinks that someone back here can make that decision better because, and not wrongfully, that there is a population that is underserved if the government does not do that. But in my opinion, that is grossly wasted.

When I look at the groups that are in support of this measure, they represent the children. The children's issues, not the unions, not the social issues, not the political issues. And therefore, it tells me that this bill has got to be good.

Let me give my colleagues what I feel. I have three schools coming back for the Blue Ribbon award. My wife got very upset with Dan Quayle, who is a good friend of mine, when he said teachers are bad, public education is bad. My wife is one of those public education people. I think the gentleman from Missouri (Mr. CLAY) has met her. And she knows and I know and the conservatives know and the liberals know that we have many, many fine, dedicated teachers and administrators out there, more than we have bad. But, in many, many cases it is just not working, and we want an opportunity to show that we think we can try to do it better.

A classic example. When I was chairman of the committee, the gentleman from Michigan (Mr. KILDEE) was the ranking minority member. We had two sets of eight groups come in and they each had a fantastic program that worked in their district. Now, the old style, the liberal style would be to take all 16 of those programs because they are represented by Members of Congress and they want that program in their district, is to fund all 16 and have the Federal Government lay down rules and a lot of paperwork. Our view is to say, because I asked the question after

the hearing, how many of you have any one of the other 15 of these groups in your district? They said none. We said, that is the whole idea. We want to give you the money so that you can make the decision that that program works in Wisconsin or this program works in California, we want you to have the ability to do that. And that is the idea of our block grant, and we feel that it is much better than mandating from Washington, D.C.

Another example of block granting. Why? People say well, DUKE, you want to cut education because you are against Goals 2000. I think Goals 2000 in itself is a marvelous idea, but all the paperwork and the bureaucracy is terrible. Let me give a classic example. Goals 2000 we made a lot of changes, but in the original form, there were 13 ''wills'' in the bill, and if you are a lawyer you know what that means, you will do this. They said it is only voluntary. Well, it is only voluntary if you want the money.

Think about one school putting Goals 2000 forward to a separate board, not even the Board of Education, and then it goes to the Board of Education and then it goes to the principal, then it goes to the superintendent, then it goes to Sacramento to Governor Davis, and he has to have a big bureaucracy there to handle all of the schools' paperwork coming in for Goals 2000.

Then, the letter work back and forth, and then where do they send it? They send it to the Department of Education, and what do you have to have here? A big bureaucracy just to handle that, and that takes money. That is why we are only getting 50 cents out of a dollar to the classroom. We think by giving a block grant, letting the parents, the teachers, the administrators and the community make the decisions on what they want to do, it is better than paying all of that bureaucracy and wasting about 40 cents on a dollar.

We do not disagree. My colleagues want to better education; we want to better education. I know that my colleagues mean that from the bottom of their hearts. We feel that the method is bad.

Please support us in this and join us. Try to make a difference.

Mr. CLAY. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, I thank my ranking member for yielding me this time.

Very simply, the Straight A's Act now with the changes due to the rule would allow 10 States to block grant Federal education programs, eliminate the Federal role and prioritization in education, undermine accountability for increased academic achievement, reduce targeting to disadvantaged districts and schools, and jeopardize the existing level of future education funding.

Since the House has spent yesterday and today reauthorizing Title I and other programs, the very programs Straight As seeks to block grant, I cannot support this legislation.

One of the major purposes of Federal education programs has been to target national concerns and national priorities. This proposal would eliminate the focus of Federal education programs that have been created to address specific concerns that have evolved with nearly 35 years of strong bipartisan support. Instead, Federal education funding would be placed out on the stump for governors to do with as they please. Federal funds could be spent for any purpose the governor could identify, resulting in no guaranteed focus on technology, teacher training, school safety, and many other important educational policies. This proposal would remove the targeting of Federal funds based on poverty, which now helps us ensure equitable services for all students.

The GAO has found that Federal funds are seven times more targeted than State educational funds. We should not abandon the success of Federal targeting.

This revenue-sharing approach also lacks sufficient accountability. If the Federal Government is going to totally cede educational accountability for Federal dollars to the States, States should be required to eliminate the most severe injustices in their educational system: School financing inequities, toleration of the use of uncertified teachers, high class sizes, overcrowded and crumbling schools.

The Federal Government should not enter into a weak performance agreement that will do nothing to ensure the most disadvantaged children are achieving.

Lastly, Mr. Chairman, this proposal is another block grant scheme that will lead to the defunding of education, not the increased investment that is needed. That is not just speculation. That is history. Let us go back to 1981, the winter of discontent, when we wrote educational policy in this country with chapter 1, which is now called Title I again, and chapter 2. And what did we do in chapter 2? Not with my vote. In chapter 2, we took many fine programs and dumped them into one block grant, and what happened? Those programs lost their identity, then they lost their advocacy, and then they lost their dollars. That is a fact. All of my Republican colleagues know that, those of them who were here in 1981. The funding for chapter 2 plummeted in a straight line down, and that is what happens when we block grant. We have a history of that, let us live with that history, let us learn from that history and let us defeat this bill.

Mr. PETRI. Mr. Chairman, I yield 6 minutes to the gentleman from Texas (Mr. ARMEY), a member of the committee, on leave, and our distinguished majority leader.

Mr. ARMEY. Mr. Chairman, we are back at education today and Mr. Chairman, again, let me tell my colleagues how proud I am of the things we are doing in education. Let me begin by pointing out that one thing is settled so that we do not have to argue about it any more, it is a matter of fact, not disputed, that since Republicans took control of the Congress, Federal education funding has increased by 27 percent. It is a matter of fact that this Congress in this year for fiscal year 2000 again is appropriating more money for education than even what the President asked for.

So, we can get set money aside. The fact is, we are all committed to education in America. We all understand its importance, Republicans and Democrats alike, and Republicans are willing to commit the dollars. But what we are not willing to commit, Mr. Chairman, is programs that are ineffective in the lives of children. Mr. Chairman, we have seen too much of that. We have had too many times too many hearts broken for that.

I can remember not too many years ago even up until the mid-1970s, this Nation was undisputed in its leadership in the world and had been forever. The Nation in the world that did most and best by educating its young people. This country and the education of our children was indeed the envy of the rest of the world.

But since the mid-1970s, Mr. Chairman, things have not been turning out so well. American parents have found themselves a little less content, satisfied, happy, and secure. American parents have been finding themselves a little more worried, violence in schools, lack of discipline, there seems to be a lack of respect, lack of standards, lack of learning, lack of comfort, sometimes perceived by parents, lack of decency. Things just have not been turning out, and by comparison with the rest of the world and our performance scores, our Nation's schoolchildren have not been holding up. They have not been doing well.

□ 1945

What has changed is the Federal Government got involved. We came to Washington. We looked out over the land, we talked to the experts, we heard the theories, we developed the programs, and then we said we are going to impose this program whether it be in Ithaca, New York, or El Paso, Texas, exactly the same, and people are going to have to comply.

The strength of this is amazing. Back home in America in our States, in our counties, in our local school districts, in our cities, in our communities, all of us working together as we do locally, raise and spend and manage $300 billion worth of money to educate our children with local, voluntary school boards working with parents and PTAs and teachers looking at the children, looking at the schools, looking at the needs and making decisions. We do pretty well. $20.8 billion of money comes from the Federal Government, and from the Federal Government we get not only the money but we get the mandates; we

get the requirements; we get the dictates; we get the paperwork; and we get the frustration.

It puts me in mind of Armey's Axiom: When one makes a deal with the Government, they are the junior partner and pretty soon we have the schools run from here.

Now, the idea just simply has not been working out. Let us just face it. It has not worked out in the lives of the children. We have a model that we lived with for 200 years of local control, local decision, local management, local concern, local care, local instruction and it worked; it worked better than anyplace in the world. For about 20 years now we have had a model of Federal control from Washington, D.C. that has just been hurting our kids bad. Why in the world would we not try to get away from that which we now see harming the children's chances and go back to that which we know has worked? Why would we not take that opportunity? Why not seize it?

I am proud to say that my governor, the distinguished Governor George Bush from Texas, saw that in Texas. He saw even in Texas that the local communities could not be compelled to live by the mandates of the governor's office in Austin, Texas; that they had to have the flexibility in El Paso to do things differently than they did in Austin, and in Austin they had to have the flexibility to do things differently than they did in Dallas. In Texas today, our children are performing at levels we have not seen for years.

Because why? They are people that know them, live with them, parent them, make the decisions.

Mr. Chairman, what we are seeing here, having spent the earlier part of the day fixing failed programs under Title I, we are now saying let us give a greater latitude to those governors, to those school districts, those local communities to simply make the decision to try it for yourselves; for a limited period of time try it and see if it works.

If it works, we will renew the contract. If it does not work, we can go back to the old way. Well, I will say if we do not dare to take a chance in the interest of the children's education, to sacrifice some of our control, power and authority centered in this town, to give the parents and the teachers and the neighbors and the community leaders a chance to teach those babies the way they used to in what I would call the good old days, then more is the shame for us and more is the pity for the children.

Let us give it a try. Let us try it. Let us work for the kids. Let us get the money out of Washington and let the money follow the children in success instead of leaving the money to fund the ill-advised, ill-conceived and heartless, failed mandates of Washington, D.C.

Mr. CLAY. Mr. Chairman, I yield 4 minutes to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Chairman, I thank my leader on the Democratic side, the gentleman from Missouri (Mr. CLAY), for yielding me the time.

Mr. Chairman, I would like to start off by congratulating Republicans and Democrats alike for the fine product we just produced 5 hours ago, a piece of bipartisan legislation that passed overwhelmingly in the House; that tightened up accountability; that improved quality; that widened public school choice with some new options for parents; that targeted some funds to the poorest and most disadvantaged and most at-risk children in America. And we came together to do that; after 5 days in committee and 47 amendments, two days on the floor and an overwhelming vote of bipartisan support of Republicans and Democrats working together to try to look out for what was best for our children.

Well, it took Republicans 40 years to get back into power, 5 years to do their first ESEA, Elementary and Secondary Education Act, and 5 hours to then go back and say we do not like what happened there. Now we are going to come up and scuttle this bipartisan piece of legislation. I would encourage my colleagues on both sides of the aisle, let us not do that. We have just worked so hard on behalf of the poorest of the poor children, putting together a solid bill.

The gentleman from Texas (Mr. ARMEY) said and talked about that we spend $324 billion on education in this country, and I am one Democrat that thinks that local control should dominate what we do with that money, but out of that $324 billion that we spend, that is locally controlled, our parents and our teachers and administrators decide what to do with that money and they should, we are saying in a bipartisan way, we did 5 hours ago, that $10 billion of that, $9.8 billion of that, should have some targeting to children that are most likely to drop out of school and fall behind, and then possibly get involved in the juvenile justice system and then possibly become incarcerated and then that costs us $32,000 per person to incarcerate them; not a good deal for the United States; not a good deal for the taxpayers; not a good deal for us as the global superpower.

We are the only global superpower left. We are the global superpower in defense. Let us be the global superpower in education and work across the aisle to achieve that.

Now, one of the theories of doing a block grant like this proposal throws out there is to say that the governors would do a good job at making the decision as to how to spend it. The funny thing is, the governors do not like this bill. They do not want to do it. Here is what the governors say, and I quote from their letter, the NGA, the National Governors Administration, says, quote, ''The governors recognize the link between the concentration of poverty and low educational achievement. In schools with the highest proportions of disadvantaged children, students are less likely to achieve at higher levels. We would suggest that the Federal Government continue to concentrate Federal funds on these schools. Such support is essential given that the Nation is truly committed to the belief that all students can achieve at higher levels.''

Let us keep what we did 5 hours ago. Let us work together as Democrats and Republicans on education and hopefully let us defeat this bill.

Mr. PETRI. Mr. Chairman, I yield 8 minutes to the gentleman from Michigan (Mr. HOEKSTRA), our colleague and a senior member of the committee.

Mr. HOEKSTRA. Mr. Chairman, I thank the gentleman from Wisconsin (Mr. PETRI) for yielding me this time.

Mr. Chairman, let us go back and talk about what we not only did on the floor today but what we did in the committee. The gentleman is right, there was a bipartisan agreement to move the bill through. It is interesting that our colleagues on the other side of the aisle passed amendments which broke that bipartisan agreement, but that is really not the issue here about what they agreed to and what we agreed to and what agreements they broke. Really, this is about the kids.

So let us take a look at the dialogue that took place on the debate of the bill that we passed earlier today. Colleague after colleague after colleague talked about the failed 34-year history of Title I, the continuing disappointment of the Federal dollars, the $120 billion that had been targeted to the most disadvantaged and the poorest students in the country. We have not closed the gap. We have left those kids behind. What we said today in the bill that we passed earlier is, yes, we can tinker around the edges, we can tinker with this $8 billion, but for those kids we need to at least try something else and try something more innovative than what we have done in the past, because tinkering around the edges may not be enough to help those kids.

I still remember in some of the hearings that we have had in the Education at a Crossroads Project. We went to New York City. We went to those kids who are in those schools that are failing, and I still remember the father coming in and saying, I have had one kid now in school for 5 years. Five years ago, there was a program and it was a 5-year program towards excellence, and the schools are as bad now as they were 5 years ago and they may even be worse; and now you are coming in and you have another 5-year program for me?

That is what we have, but not a 5-year program. We have a 34-year track record, and the bill that we passed earlier today was tinkering around the edges. That is not good enough for our kids. That is not good enough for the future of this country. It is at least time to take a look at a more innovative approach. That is why we have the

Straight A's bill in front of us today because we need to get the Federal Government to catch up with what is going on in the States.

What is the approach that we are taking? The approach that we are taking is moving away from a bureaucratic program that has a program for every identified need, has a set of rules and regulations for every program, has a series of applications, has a series of red tape and it takes money out of the classroom; it takes innovation and creativity away from our local school officials.

By the way, they are the only ones that happen to know the names of the kids in the classroom that we are trying to help. The bureaucrats here in Washington do not know the names of those kids that we are trying to help. What we do is we tell these local officials if they will reach an agreement with us where we give them flexibility to focus on the needs in their schools, whether it is to make them safe, whether it is to improve technology, whether it is to lower class size, they do what is right for their school and then they report back to us on performance, because really what we are interested in, I thought we were interested in improving the performance of the students rather than in mandates, regulations and red tape. That is why we are doing the straight A's proposal, to get that innovation and to match the needs with the programs that we put in place.

What do the State education executives say about it? Well, I would have preferred to have seen the advantages and flexibility made available under Straight A's to every State. The 10-State pilot is a fair compromise if it ensures passage of the bill now. Many States are already straining to break the bonds of over-regulations, over-involvement, and overkill on the part of the education bureaucracy.

Remove those barriers to innovation through passage of H.R. 2300, and I think you will find no problem finding 10 States willing to take advantage of all that the Straight A's Act has to offer. We cannot wait any longer. This is a letter from Lisa Graham Keegan, State of Arizona Department of Education. She is the superintendent of public instruction.

The Education Leaders Council, what do they say? Passage of Straight A's is critical if we are to build upon existing innovative approaches to education reform in the States that are producing success and improving student achievement. It is time that Washington recognizes that the innovation and the focus of improving our student education is taking place at the State level and Washington is still trying to catch up with the innovation that is going on at the State level. That is why we need to provide this kind of opportunity to some of the States.

What do the governors have to say? Let us go back and reference what the governors' letter says that is being referenced so often. Straight A's is aligned with the NGA education policy in many instances. We urge the committee to maintain these provisions in the bill as it continues through the legislative process. Governors are strongly supportive of the provision in the legislation that permits States to determine how funds can be distributed to the States.

□ 2000

NGA policy calls for Federal education dollars to be sent directly to the State to enable the State to set priorities, provide greater accountability, and better coordinate federally funded activities with State and local education reform initiatives.

It does say the governors do recognize the link between the concentration of poverty and low education and achievement. The governors recognize that.

What this bill will do is it will provide the governors more opportunity to provide more dollars to the most disadvantaged students in their States. This is the welfare reform model where we are saying Washington cares more about the disadvantaged in one's State than the Governor and the State legislature.

What did we find out? We heard the same kind of scare tactics when we talked about welfare reform. We passed welfare reform. The States innovated, and more people are off the welfare rolls now than at any time in recent history.

The States and the governors and legislators care about the people in their States. We ought to at least enable 10 States to experiment, to move this program back, and to see how we can help the people in those 10 States. It is about kids. It is about making a difference.

So we have got the State education officers. We have got the NGA. We have got governors who want that kind of flexibility because they want to focus dollars on kids and on the classroom. They do not want to focus it on bureaucracy.

That is why we are doing this amendment and why we are doing this bill. The emphasis here is on helping kids. It is on moving away from process. It is about moving away from bureaucracy. That is why we are doing Straight A's, so that we can focus on the kids, that we can make a difference, and we can at least begin the process of reform and put the Federal Government in a position of supporting reform at the State and local level rather than being a barrier to helping kids that need help the most.

Free up the States. Free up our local leaders. Free up those people who know the names of the kids in the classroom and who care more about them than anyone in this Chamber or anyone in the Department of Education. It is about our kids. It is time for change, and it is time for reform.

Mr. Chairman, I ask my colleagues to strongly support this amendment.

Mr. CLAY. Mr. Chairman, I yield 4 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Chairman, I thank the gentleman from Missouri (Mr. CLAY), my ranking leader, for yielding me this time.

Mr. Chairman, I rise in strong opposition to H.R. 2300. But, first, a high school quiz. Who said: ''war is peace; freedom is slavery; ignorance is strength?'' Of course that was George Orwell's Big Brother in the classic novel 1984. With the introduction of this legislation this evening, I think perhaps we have slipped back into Orwell's 1984 with this classic doublespeak.

No sooner do we pass a good bipartisan Title I reauthorization bill that targets funding to the most needy and most disadvantaged students across the country, then we turn around and bring this legislation that would basically act as a bomb and blow up and eviscerate the very provisions that we just passed a few short hours ago. The key to the Title I funding has been the targeted funding stream to those students most at need, this legislation would destroy that goal.

H.R. 2300 would turn the targeted funding into a block grant, effectively turning the Federal Government into the great tax collector for States in the form of a Federal revenue sharing program. Well, no one likes to collect taxes for any particular reason.

We can also see where this road would take us. If we just merely act as an intermediary, collecting taxes just to turn around to give it back to the States, it becomes a very simple question as to why we are doing this at all. Why do we not allow the States to collect their own taxes and target the money the way they see fit, so there would be no role at all for the Federal Government?

But that is what gets us back to 1965 and the very reason why the Federal Government passed the Elementary and Secondary Education Act. It was the fact that some States and localities were not doing an effective job of targeting the neediest students across the country, that there became a need for the Federal Government to step in, in the form of a partnership, and assist with a funding stream that does target these disadvantaged school districts.

The very entities that this is supposed to benefit are also in opposition to this legislation. The National Association of State Boards of Education is in opposition to it. In fact, they stated, and I quote, On bureaucracy: ''Straight A's will result in greater bureaucracy and blurred lines of authority.''

On effective use of funds, they stated: ''Federal resources must be targeted to be effective. Federal efforts supplementing State funding and State-level initiatives have been successful in assuring equity to low-income areas and socioeconomically disadvantaged students. Distributing scarce federal funds on a per capita

basis will only dilute these limited funds to an ineffectual level.''

On the Federal role in education, they stated: ''The leadership role the Federal Government plays in identifying and promoting national priorities cannot be overstated. It would be a mistake to abandon the national role in fostering specific educational improvement activities.''

Of course we have already heard the National Governor's Association themselves have come out in opposition to this bill.

One additional reason is given that I cite from the letter that they have submitted to us: ''Only with a change to continue the targeting of Title I funds as required under current law and the maintenance of the above mentioned provisions would the 'National Governor's Association' be able to bring bipartisan support to the legislation.''

There is a myriad of reasons, Mr. Chairman, of why this is bad legislation for the many reasons at the wrong time. Yes, we can provide greater flexibility to the localities. We have taken a step with education flexibility passed earlier this year, a measure I was happy to support.

Let us give Ed-Flex a chance to play out and see how well that works before we take this great leap into a block grant, Federal revenue sharing program. And let us allow the Title I targeted approach to take effect with the improved provisions that we just passed a few short hours ago. Let us give that a chance first and see if that will help our most disadvantaged students throughout the country.

Mr. PETRI. Mr. Chairman, I yield such time as he may consume to the gentleman from Delaware (Mr. CASTLE), the chairman of the Subcommittee on Early Childhood, Youth and Families, for purposes of a colloquy.

Mr. CASTLE. Mr. Chairman, I thank the gentleman from Wisconsin for yielding me this time.

Mr. Chairman, I would like to enter into a colloquy with the gentleman from Wisconsin, and I would like to start by asking him if it is true that States may include part A of Title I in their performance agreement under Straight A's?

Mr. Chairman, I yield to the gentleman from Wisconsin (Mr. PETRI).

Mr. PETRI. Mr. Castle, I believe I can speak for the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the Committee on Education and the Workforce in this regard: What the gentleman from Delaware has indicated is true. States may include part A of Title I as well as 13 other programs.

Mr. CASTLE. Mr. Chairman, as the gentleman from Wisconsin knows, I believe it is crucial that if States include Title I, they should ensure school districts use those funds to meet the educational needs of disadvantaged students.

Mr. PETRI. Mr. Chairman, I agree. As the gentleman knows, there is a hold-harmless in the bill, no school district in America will lose Title I dollars. Straight A's gives them the flexibility to address the needs of those students.

Mr. CASTLE. Mr. Chairman, so the intent of Straight A's is to require States to improve academic achievement and narrow achievement gaps between students.

Mr. PETRI. Mr. Chairman, that is why the accountability in Straight A's is so high, to ensure that States and school districts target their funds as effectively as possible to improve academic achievement.

Mr. CASTLE. Mr. Chairman, I appreciate the accountability provisions in the bill. I also believe that it is crucial that we clearly express our commitment to needy children in the language of the bill. If States include Title I, they must ensure that school districts use those funds to help children with the greatest educational needs.

Mr. PETRI. Mr. Chairman, I certainly will work to ensure that the language of the gentleman from Delaware is included in the final bill that is sent to our President.

Mr. CASTLE. Mr. Chairman, I thank the gentleman from Wisconsin (Mr. PETRI). I appreciate this. These are assurances with which I was concerned. I appreciate the gentleman's affirmation of where we were with respect to that.

I would also point out just listening to this debate, and I am running back and forth to a banking conference at this point, that this is a pilot program that we are talking about. We are talking about an experiment in which we are trying to determine if there is a better methodology of dealing with these programs, of dealing with these disadvantaged students than there has been before. That has worked, as somebody has pointed out, in welfare reform. It has worked in Ed-Flex. Hopefully, it can work in this as well.

Mr. CLAY. Mr. Chairman, these are the gentlemen who wrote this bill still at this late date trying to convince themselves what is in the bill.

Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Chairman, I would like to respond to the gentleman from Michigan (Mr. HOEKSTRA) who said that the Council of Chief State School Officers supported this bill.

I suppose maybe he has heard from one of the members of the organization, but I would like to read from a letter written by the executive director, Gordon Ambach from the Council of Chief State School Officers.

I quote, ''On behalf of the Council of Chief State School Officers, I write to urge you to vote against H.R. 2300, the Academic Achievement for All Act or Straight A's Act when it comes before the House for consideration this week.''

He also goes on to say, ''We oppose Straight A's because it undermines the following essential features of Federal aid to K–12 education:'' First, ''Targeting of Federal aid to elementary and secondary education to national priorities and students in need of special assistance to succeed.'' He wants that. He thinks it is important.

''Governance of education by State education authorities.'' He does not want that undermined.

''Accountability for Federal aid to elementary and secondary education.''

And it is signed, as I said, by Gordon Ambach, the executive director, Council of Chief State School Officers. This is a three-page letter. He said a lot more than that.

The Council of Chief State School Officers is correct. The goal of Federal education programs must be to make it easier for students to learn rather than making it easier for States to spend Federal dollars.

Under this bill, if a school district needs a bus barn, a shelter for their school buses, and if the State says yes, the district could use its Federal education funds to build that bus barn.

If a school band needs new uniforms, and that school has the ear of the governor, Federal dollars can be used to purchase school uniforms. That would be perfectly all right.

But those are local expenditures, not Federal expenditures. Federal funding is targeted for the neediest schools and the neediest children and those that are under the most duress in the school system, not for school uniforms, not for school bus barns. Because the purpose of Federal education funds is to fund national education priorities like the ones we set for Title I earlier today.

Educating all of our children well must be a national priority. The people who I represent in Congress who live in Sonoma and Marin Counties north of San Francisco understand that. In fact, I received a post card just today; and it says, make sure that our children are taken care of.

Mr. PETRI. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana (Mr. SOUDER), an active member of the Committee on Education and the Workforce.

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

Mr. SOUDER. Mr. Chairman, I yield to the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Mr. Chairman, just to clarify any confusion that may have existed about my remarks or at least as interpreted by the gentlewoman from California (Ms. WOOLSEY), I referenced the letter from the Education Leaders Council, representatives of the leading States that are leading the country in reform. I submit the letter for the RECORD, as follows:

EDUCATION LEADERS COUNCIL,
Washington, DC, October 21, 1999.

Hon. WILLIAM F. GOODLING,
Chairman, House Committee on Education and the Workforce, 2107 Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN GOODLING: We are the state school chiefs who oversee the education of over 19 million (1 in 5) in the nations students. You and your colleagues will very shortly begin debate on the Straight A's (Academic Achievement for All Act) legislation that will help us and other states continue to ensure academic excellence for all students and true accountability for results for state education agencies and local school districts.

Passage of Straight A's is critical if we are to build upon existing innovative approaches to education reform in the states that are producing success in improving student achievement. While we would have preferred to see the flexibility with accountability provided through Straight A's available to every state, we strongly believe that the current compromise, limiting its provisions to 10 pilot states, would represent a major step forward if it ensures passage of the bill now.

Many states are straining against the inertia created by bureaucratic micro-management and thousands of pages of regulations attached to hundreds of separate programs which may or may not be consistent with state and local priorities. Remove this burden now by passing Straight A's, and we are confident you will have no problem finding ten states ready to take advantage of all it has to offer.

There is no magic in what our states are doing. The results we seek are simple: measurable academic achievement increases for all students. The original intent of ESEA and title I in particular has been thwarted, not through poor intention, but by a misguided focus on process and regulation over results. We agree that a federal role in education is appropriate in response to national concerns—and the persistent low performance of poor children in this country merits such a response. But we have to move beyond a simple reauthorization of an act that, while well intended, has produced minimal if any gain for these children in thirty years. They deserve better.

Sincerely,

GARY HUGGINS,
Executive Director.

Mr. SOUDER. Mr. Chairman, I apologize again for my voice. I am doing the best I can.

I want to express some frustrations that I had today. This bill is no longer, after our management amendment, quite Straight A's anymore. It is more like a B, A, and an F, better alternatives for a few. But at least we have 10 pilot programs, which is better than nothing.

Part of my concern is that, as we move to conference committee with the Senate, then we might only wind up with one governor picks one student for half a day. But we need to continue to move this bill forward because at least it gives the opportunity for us to give more flexibility in return for accountability, which was the original intent of our bill earlier today, which was to provide more flexibility to the States in return for accountability.

But by the time we got done in committee, by the time we got done on the floor, we continued to add more and more things that reduced the flexibility but kept the accountability measures in.

This bill would help rectify that. That is why this bill, Straight A's, has been supported by, among other groups, American Association of Christian Schools, Citizens for a Sound Economy, Education Policy Institute, Family Resource Council, Hispanic Business Roundtable, Home School Legal Defense Association, Independent Women's Forum, Jewish Policy Center, Professional Educators of Tennessee, the Union of Orthodox Jewish Congregations of America; by the State school officers, Arizona Superintendent of Public Education, Georgia State Superintendent of Schools, the Michigan Superintendent of Public Instruction, the Pennsylvania Secretary of Education, the Virginia Secretary of Education.

It is also supported by the following governors: Governor Hull of Arizona, Governor Owens of Colorado, Governor Jeb Bush of Florida, Governor Kempthorne of Idaho, Governor Ryan of Illinois, Governor Engler of Michigan, Governor Gilmore of Virginia, Governor Thompson of Wisconsin, Governor Geringer of Wyoming, Governor Pataki of New York, Governor Keating of Oklahoma, and Governor Guinn of Nevada.

It is also interesting, as we look for what is our vision as to how we approach education, rather than just saying we are going to do more of the same only for a little less dollars than the way it is done in the past, I would hold forth what our current leading candidate for President, Governor Bush, said in his education speech to New York, not the parts that the media picked up, but the fundamentals of it.

□ 2015

And let me quote from that. ''Even as many States embrace education reform, the Federal Government is mired in bureaucracy and mediocrity. It is an obstacle, not an ally. Education bills are often rituals of symbolic spending without real accountability, like pumping gas into a flooded engine. For decades, fashionable ideas have been turned into programs with little knowledge of their benefits for students or teachers. And even the obvious failures seldom disappear.''

On the next page he said, ''I don't want to tinker with the machinery of the Federal role in education. I want to redefine that role entirely. I strongly believe in local control of schools and curriculum. I have consistently placed my faith in States and schools and parents and teachers, and that faith in Texas has been rewarded.''

He also said, ''I would promote more choices for parents in the education of their children. In the end, it is parents, armed with information and options, who turn the theory of reform into the reality of excellence. All reform begins with freedom and local control. It unleashes creativity. It permits those closest to children to exercise their judgment. And it also removes the excuse for failure. Only those with the ability to change can be held to account.''

He also said, contrary to public opinion, that he always says that the Republican Congress is just too conservative, he also said what we did earlier today was too liberal, because what he favored as a reform to Title I was to ''give parents with children in failing schools, schools where the test scores of Title I children show no improvement over 3 years, the resources to seek more hopeful options. This would amount to a scholarship of about $1,500 a year.''

He said with regard to charter schools that we need someone bold enough to say, ''I can do better. And all our schools will aim higher if we reward that kind of courage and vision.''

I hope my Republican colleagues and those on the Democratic side of the aisle that are open to real school reform will support me and my colleagues in support of the Straight A's, which would give our governors real flexibility.

Mr. Chairman, I provide for the RECORD the full speech given by Governor George Bush, and the list of groups and individuals who support Straight A's:

GOVERNOR GEORGE W. BUSH—A CULTURE OF ACHIEVEMENT, NEW YORK, NEW YORK, OCTOBER 5, 1999

It is an honor to be here—and especially to share this podium with Rev. Flake. Your influence in this city—as a voice for change and a witness to Christian hope—is only greater since you returned full-time to the Allen AME Church. I read somewhere that you still call Houston your hometown, 30 years after you moved away. As governor of Texas, let me return the compliment.

We are proud of all you have accomplished, and honored to call you one of our own. It's been a pleasure touring New York these past few days with Governor Pataki. Everywhere I've gone, New York's old confidence is back—thanks, in large part, to a state senator who challenged the status quo six years ago. From tax cuts to criminal justice reform to charters, your agenda has been an example to governors around the country.

It is amazing how far this city has come in the 21 years since the Manhattan Institute was founded. You have won battles once considered hopeless. You have gone from winning debating points to winning majorities—and I congratulate you.

Last month in California, I talked about disadvantaged children in troubled schools. I argued that the diminished hopes of our current system are sad and serious—the soft bigotry of low expectations.

And I set out a simple principle: Federal funds will no longer flow to failure. Schools that do not teach and will not change must have some final point of accountability. A moment of truth, when their Title I funds are divided up and given to parents, for tutoring or a charter school or some other hopeful option. In the best case, schools that failing will rise to the challenge and regain the confidence of parents. In the worst case, we will offer scholarships to America's neediest children.

In any case, the Federal Government will no longer pay schools to cheat poor children.

But this is the beginning of our challenge, not its end. The final object of education reform is not just to shun mediocrity; it is to

seek excellence. It is not just to avoid failure; it is to encourage achievement.

Our Nation has a moral duty to ensure that no child is left behind.

And we also, at this moment, have a great national opportunity—to ensure that every child, in every public school, is challenged by high standards that meet the high hopes of parents. To build a culture of achievement that matches the optimism and aspirations of our country.

Not long ago, this would have seemed incredible. Our education debates were captured by a deep pessimism.

For decades, waves of reform were quickly revealed as passing fads, with little lasting result. For decades, funding rose while performance stagnated. Most parents, except in some urban districts, have not seen the collapse of education. They have seen a slow slide of expectations and standards. Schools where poor spelling is called ''creative.'' Where math is ''fuzzy'' and grammer is optional. Where grade inflation is the norm.

Schools where spelling bees are canceled for being too competitive and selecting a single valedictorian is considered too exclusive. Where advancing from one grade to the next is unconnected to advancing skills. Schools where, as in Alice in Wonderland, ''Everyone has won, and all must have prizes.''

We are left with a nagging sense of lost potential. A sense of what could be, but is not.

It led the late Albert Shanker, of the American Federation of Teachers, to conclude: ''Very few American pupils are performing anywhere near where they could be performing.''

This cuts against the grain of American character. Most parents know that the self-esteem of children is not built by low standards, it is built by real accomplishments. Most parents know that good character is tied to an ethic of study and hard work and merit—and that setbacks are as much a part of learning as awards.

Most Americans know that a healthy democracy must be committed both to equality and to excellence.

Until a few years ago, the debates of politics seemed irrelevant to these concerns. Democrats and Republicans argued mainly about funding and procedures—about dollars and devolution. Few talked of standards or accountability or of excellence for all our children.

But all this is beginning to change. In state after state, we are seeing a profound shift of priorities. An ''age of accountability'' is starting to replace an era of low expectations. And there is a growing conviction and confidence that the problems of public education are not an endless road or a hopeless maze.

The principles of this movement are similar from New York to Florida, from Massachusetts to Michigan. Raise the bar of standards.

Give schools the flexibility to meet them. Measure progress. Insist on results. Blow the whistle on failure. Provide parents with options to increase their influence. And don't give up on anyone.

There are now countless examples of public schools transformed by great expectations. Places like Earhart Elementary in Chicago, where students are expected to compose essays by the second grade.

Where these young children participate in a Junior Great Books program, and sixth graders are reading ''To Kill a Mockingbird.'' The principal explains, ''All our children are expected to work above grade level and learn for the sake of learning * * * We instill a desire to overachieve. Give us an average child and we'll make him an overachiever.''

This is a public school, and not a wealthy one. And it proves what is possible.

No one in Texas now doubts that public schools can improve. We are witnessing the promise of high standards and accountability. We require that every child read by the third grade, without exception or excuse. Every year, we test students on the academic basics. We disclose those results by school. We encourage the diversity and creativity of charters. We give local schools and districts the freedom to chart their own path to excellence.

I certainly don't claim credit for all these changes. But my state is proud of what we have accomplished together. Last week, the federal Department of Education announced that Texas eighth graders have some of the best writing skills in the country. In 1994, there were 67 schools in Texas rated ''exemplary'' according to our tests. This year, there are 1,120. We are proud, but we are not content. Now that we are meeting our current standards, I am insisting that we elevate those standards.

Now that we are clearing the bar, we are going to raise the bar—because have set our sights on excellence.

At the beginning of the 1990s, so many of our nation's problems, from education to crime to welfare, seemed intractable—beyond our control. But something unexpected happened on the way to cultural decline. Problems that seemed inevitable proved to be reversible. They gave way to an optimistic, governing conservatism.

Here in New York, Mayor Giuliani brought order and civility back to the streets—cutting crime rates by 50 percent. In Wisconsin, Governor Tommy Thompson proved that welfare dependence could be reversed—reducing his rolls by 91 percent. Innovative mayors and governors followed their lead—cutting national welfare rolls by nearly half since 1994, and reducing the murder rate to the lowest point since 1967.

Now education reform is gaining a critical mass of results.

In the process, conservatism has become the creed of hope. The creed of aggressive, persistent reform. The creed of social progress.

But many of our problems—particularly education, crime and welfare dependence—are yielding to good sense and strength and idealism. In states and cities around the country, we are making, not just points and pledges, but progress. We are demonstrating the genius for self-renewal at the heart of the American experiment.

Of course want growth and vigor in our economy. But there are human problems that persist in the shadow of affluence. And the strongest argument for conservative ideals—for responsibility and accountability and the virtues of our tradition—is that they lead to greater justice, less suffering, more opportunity.

At the constitutional convention in 1787, Benjamin Franklin argued that the strength of our nation depends ''on the general opinion of the goodness of government.'' Our Founders rejected cynicism, and cultivated a noble love of country. That love is undermined by sprawling, arrogant, aimless government. It is restored by focused and effective and energetic government.

And that should be our goal: A limited government, respected for doing a few things and doing them well.

This is an approach with echoes in our history. Echoes of Lincoln and emancipation and the Homestead Act and land-grant colleges. Echoes of Theodore Roosevelt and national parks and the Panama Canal. Echoes of Reagan and a confrontation with communism that sought victory, not stalemate.

What are the issues that challenge us, that summon us, in our time? Surely one of them must be excellence in education. Surely one of them must be to rekindle the spirit of learning and ambition in our common schools. And one of our great opportunities and urgent duties is to remake the federal role.

Even as many states embrace education reform, the federal government is mired in bureaucracy and mediocrity.

It is an obstacle, not an ally. Education bills are often rituals of symbolic spending without real accountability—like pumping gas into a flooded engine. For decades, fashionable ideas have been turned into programs, with little knowledge of their benefits for students and teachers. And even the obvious failures seldom disappear.

This is a perfect example of government that is big—and weak. Of government that is grasping—and impotent.

Let me share an example. The Department of Education recently streamlined the grant application process for states. The old procedure involved 487 different steps, taking an average of 26 weeks. So, a few years ago, the best minds of the administration got together and ''reinvented'' the grant process. Now it takes a mere 216 steps, and the wait is 20 weeks.

If this is reinventing government, it makes you wonder how this administration was ever skilled enough and efficient enough to create the Internet. I don't want to tinker with the machinery of the federal role in education. I want to redefine that role entirely.

I strongly believe in local control of schools and curriculum. I have consistently placed my faith in states and schools and parents and teachers—and that faith, in Texas, has been rewarded.

I also believe a president should define and defend the unifying ideals of our nation—including the quality of our common schools. He must lead, without controlling. He must set high goals—without being high-handed. The inertia of our education bureaucracy is a national problem, requiring a national response. Sometimes inaction is not restraint—it is complicity. Sometimes it takes the use of executive power to empower others.

Effective education reform requires both pressure from above and competition from below—a demand for high standards and measurement at the top, given momentum and urgency by expanded options for parents and students. So, as president, here is what I'll do. First, I will fundamentally change the relationship of the states and federal government in education. Now we have a system of excessive regulation and no standards. In my administration, we will have minimal regulation and high standards.

Second, I will promote more choices for parents in the education of their children. In the end, it is parents, armed with information and options, who turn the theory of reform into the reality of excellence.

All reform begins with freedom and local control. It unleashes creativity. It permits those closest to children to exercise their judgment. And it also removes the excuse for failure. Only those with the ability to change can be held to account.

But local control has seldom been a priority in Washington. In 1965, when President Johnson signed the very first Elementary and Secondary Education Act, not one school board trustee, from anywhere in the country, was invited to the ceremony. Local officials were viewed as the enemy. And that attitude has lingered too long.

As president, I will begin by taking most of the 60 different categories of federal education grants and paring them down to five: improving achievement among disadvantaged children; promoting fluency in English; training and recruiting teachers;

encouraging character and school safety; and promoting innovation and parental choice. Within these divisions, states will have maximum flexibility to determine their priorities.

They will only be asked to certify that their funds are being used for the specific purposes intended—and the Federal red tape ends there.

This will spread authority to levels of government that people can touch. And it will reduce paperwork—allowing schools to spend less on filing forms and more on what matters: teachers' salaries and children themselves.

In return, we will ask that every state have a real accountability system—meaning that they test every child, every year, in grades three through eight, on the basics of reading and math; broadly disclose those results by school, including on the Internet; and have clear consequences for success and failure. States will pick their own tests, and the federal government will share the costs of administering them.

States can choose tests off-the-shelf, like Arizona; adapt tests like California; or contract for new tests like Texas. Over time, if a state's results are improving, it will be rewarded with extra money—a total of $500 million in awards over five years. If scores are stagnant or dropping, the administrative portion of their federal funding—about 5 percent—will be diverted to a fund for charter schools.

We will praise and reward success—and shine a spotlight of shame on failure.

What I am proposing today is a fresh start for the federal role in education. A pact of principle. Freedom in exchange for achievement. Latitude in return for results. Local control with one national goal: excellence for every child.

I am opposed to national tests, written by the federal government.

If Washington can control the content of tests, it can dictate the content of state curricula—a role our central government should not play.

But measurement at the state level is essential. Without testing, reform is a journey without a compass. Without testing, teachers and administrators cannot adjust their methods to meet high goals. Without testing, standards are little more than scraps of paper.

Without testing, true competition is impossible. Without testing, parents are left in the dark.

In fact, the greatest benefit of testing—with the power to transform a school or a system—is the information it gives to parents. They will know—not just by rumor or reputation, but by hard numbers—which schools are succeeding and which are not.

Given that information, more parents will be pulled into activisim—becoming participants, not spectators, in the education of their children. Armed with that information, parents will have the leverage to force reform.

Information is essential. But reform also requires options. Monopolies seldom change on their own—no matter how good the intentions of those who lead them. Competition is required to jolt a bureaucracy out of its lethargy.

So my second goal for the federal role of education is to increase the options and influence of parents.

The reform of Title I I've proposed would begin this process. We will give parents with children in failing schools—schools where the test scores of Title 1 children show no improvement over three years—the resources to seek more hopeful options. This will amount to a scholarship of about $1,500 a year.

And parents can use those funds for tutoring or tuition—for anything that gives their children a fighting chance at learning. The theory is simple. Public funds must be spent on things that work—on helping children, not sustaining failed schools that refuse to change.

The response to this plan has been deeply encouraging. Yet some politicians have gone to low performing schools and claimed my plan would undermine them.

Think a moment about what that means. It means visiting a school and saying, in essence, ''You are hopeless. Not only can't you achieve, you can't even improve.'' That is not a defense of public education, it is a surrender to despair. That is not liberalism, it is pessimism. It is accepting and excusing an educational apartheid in our country—segregating poor children into a work without the hope of change.

Everyone, in both parties, seems to agree with accountability in theory. But what could accountability possibly mean if children attend schools for 12 years without learning to read or write? Accountability without consequences is empty—the hollow shell of reform. And all our children deserve better.

In our education reform plan, we will give states more flexibility to use federal funds, at their option, for choice programs—including private school choice.

In some neighborhoods, these new options are the first sign of hope, of real change, that parents have seen for a generation.

But not everyone wants or needs private school choice. Many parents in America want more choices, higher standards and more influence within their public schools. This is the great promise of charter schools—the path that New York is now beginning. And this, in great part, is a tribute to the Manhattan Institute.

If charters are properly done—free to hire their own teachers, adopt their own curriculum, set their own operating rules and high standards—they will change the face of American education. Public schools—without bureaucracy. Public schools—controlled by parents. Public schools—held to the highest goals. Public schools—as we imagined they could be.

For parents, they are schools on a human scale, where their voice is heard and heeded. For students, they are more like a family than a factory—a place where it is harder to get lost. For teachers, who often help found charter schools, they are a chance to teach as they've always wanted. Says one charter school in Boston: ''We don't have to wait to make changes. We don't have to wait for the district to decide that what we are doing is within the rules . . .

So we can really put the interests of the kids first.''

This morning I visited the new Sisulu Children's Academy in Harlem—New York's first charter school. In an area where only a quarter of children can read at or above grade level, Sisulu Academy offers a core curriculum of reading, math, science, and history. There will be an extended school day, and the kids will also learn computer skills, art, music and dance. And there is a waiting list of 100 children.

This is a new approach—even a new definition of public education. These schools are public because they are publicly funded and publicly accountable for results. The vision of parents and teachers and principals determines the rest. Money follows the child. The units of delivery get smaller and more personal. Some charters go back to basics—some attract the gifted—some emphasize the arts.

It is a reform movement that welcomes diversity, but demands excellence. And this is the essence of real reform.

Charter schools benefit the children within them—as well as the public school students beyond them. The evidence shows that competition often strengthens all the schools in a district. In Arizona, in places where charters have arrived—teaching phonics and extending hours and involving parents—suddenly many traditional public schools are following suit.

The greatest problem facing charter schools is practical—the cost of building them. Unlike regular public schools, they receive no capital funds. And the typical charter costs about $1.5 million to construct. Some are forced to start in vacant hotel rooms or strip malls.

As president, I want to fan the spark of charter schools into a flame. My administration will establish a Charter School Homestead Fund, to help finance these start-up costs.

We will provide capital to education entrepreneurs—planting new schools on the frontiers of reform. This fund will support $3 billion in loan guarantees in my first two years in office—enough to seed $2,000 schools. Enough to double the existing number.

This will be a direct challenge to the status quo in public education—in a way that both changes it and strengthens it. With charters, someone cares enough to say, ''I'm dissatisfied.''

Someone is both enough to say, ''I can do better.'' And all our schools will aim higher if we reward that kind of courage and vision.

And we will do one thing more for parents. We will expand Education Savings Accounts to cover education expenses in grades K through 12, allowing parents or grandparents to contribute up to $5,000 dollars per year, per student. Those funds can be withdrawn tax-free for tuition payments, or books, or tutoring or transportation—whatever students need most.

Often this nation sets out to reform education for all the wrong reasons—or at least for incomplete ones. Because the Soviets launch Sputnik. Or because children in Singapore have high test scores. Or because our new economy demands computer operators.

But when parents hope for their children, they hope with nobler goals. Yes, we want them to have the basic skills of life. But life is more than a race for riches.

A good education leads to intellectual self-confidence, and ambition and a quickened imagination. It helps us, not just to live, but to live well.

And this private good has public consequences. In his first address to Congress, President Washington called education ''the surest basis of public happiness.'' America's founders believed that self-government requires a certain kind of citizen.

Schooled to think clearly and critically, and to know America's civic ideals. Freed, by learning, to rise, by merit. Education is the way a democratic culture reproduces itself through time.

This is the reason a conservative should be passionate about education reform—the reason a conservative should fight strongly and care deeply. Our common schools carry a great burden for the common good. And they must be more than schools of last resort.

Every child must have a quality education—not just in islands of excellence. Because, we are a single Nation with a shared future. Because as Lincoln said, we are ''brothers of a common country.''

Thank you.

GROUPS WHO SUPPORT STRAIGHT A'S

60 Plus; ALEC; American Association of Christian Schools; Americans for Tax Reform; Association of American Educators

(branch offices in LA, OK, KS, KY, PA, IO, TN); Citizens for a Sound Economy; Eagle Forum; Education Policy Institute; Empower America; Family Research Council; Hispanic Business Roundtable; Home School Legal Defense Association; Independent Women's Forum; Jewish Policy Center; National Taxpayers Union; Professional Educators of Tennessee; Republican Jewish Coalition; State Senators of Texas; Texas Education Agency; Toward Tradition; Traditional Values Coalition; and Union of Orthodox Jewish Congregations of America.

CHIEF STATE SCHOOL OFFICERS WHO SUPPORT STRAIGHT A'S

Arizona Superintendent of Public Education—Lisa Graham Keegan; Commissioner of Education in CO—William Moloney; Georgia State Superintendent of Schools—Linda Schrenko; Michigan Superintendent of Public Instruction—Arthur Ellis; Pennsylvania Secretary of Education—Eugene Hickok; and Virginia Secretary of Education—Wil Bryant.

GOVERNORS WHO SUPPORT STRAIGHT A'S

Arizona—Jane Hull; Colorado—Bill Owens; Florida—Jeb Bush; Idaho—Dirk Kempthorne; Illinois—George Ryan; Michigan—John Engler; Virginia—Jim Gilmore; Wisconsin—Tommy Thompson; Wyoming—Jim Geringer; New York—Pataki; Oklahoma—Keating; and Nevada—Guinn.

Mr. CLAY. Mr. Chairman, I yield 4½ minutes to the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Chairman, I thank the ranking member for yielding me this time, and I rise today to express my strong opposition to H.R. 2300.

I was a State superintendent of my State school for 8 years. I do not know what the Education Leaders Council is. I never came in contact with that in my 8 years. I do know what the Chief State School Officers group is. That is all 50 Chief State School Officers, and they are opposed to it. I do know what the 50 governors are, because I worked with them. I also worked with the Education Commission of the States; that includes the governors, the States and the legislators.

Let me remind my colleagues that this is not about a Republican agenda or a Democratic agenda. But apparently the last names I heard read off were all off Republican lists. That is not what this is about, my fellow colleagues. It is about all the children in America, all 53 million of them going to public schools from all 50 States.

We need to remind ourselves that good policy is good politics. It is not the reverse. And tonight I am hearing a lot of politics trying to be turned into policy. And it bothers me greatly. I came to this Congress to help make education a national priority, not to make it a political issue, as it was before I came. And I am sorry to say it does not look like it is improving.

The Republican leadership has labeled this bill the Straight A's bill. But as someone who knows something about good education policy, and I think I know a little bit, I can tell my colleagues that this bill should be called the Straight F's bill. The Straight F's bill because it fails our children, it fails our schools, and it fails the taxpayers in this country.

Mr. Chairman, as a member of the New Democratic Coalition, I have strongly supported flexibility in Federal education programs as long as we have accountability. And as a longtime education reformer, I strongly support innovation that will improve education for all of our children. However, this bill fails to meet those standards in several ways.

But let me insert here that my State of North Carolina has been an education reform leader for a number of years, and we have done it within the system that we have because we hold people accountable. And if we do not hold them accountable, it will not work. Block grants will not work, dropping them in governors' laps who are there for short periods of time and then are gone.

The Straight F's bill fails our schools by undermining our national commitment to education. The Straight F's bill fails our children by eliminating the targeting of funds to the highest poverty areas in this country, children who have the greatest need to get help. And the Straight F's bill fails our taxpayers by doing away with accountability standards, by taking funding that this Congress has appropriated for specific education purposes and turned it into a blank check for our States' governors. And even the governors understand that and have said that they do not want that.

North Carolina's governor, Jim Hunt, has been a strong voice for education in our State and this country. But governors' terms do not last very long. It is either 4 or 8 years. Children are there for 12 to 13 years, and we need people who are committed and policies in place to make sure they get an education.

Mr. Chairman, I call on this Congress to reject House bill 2300. We should reverse course and support school construction, teacher training, technology upgrades, after-school care, year-round schools, school resource officers, character education, and class size reduction initiatives that will improve education for all of our children.

Earlier today we passed a good education bill. We did it in the way it should be done; we did it on a bipartisan basis. And tonight we are trying to undo every bit of that with a partisan bill, and I suggest we ought to defeat it and defeat it now.

Mr. PETRI. Mr. Chairman, I yield 5½ minutes to the gentleman from Colorado (Mr. SCHAFFER), an active member of our committee.

Mr. SCHAFFER. Mr. Chairman, I thank the gentleman for yielding me this time.

In response to the gentleman from North Carolina, I would merely point out that I agree with him; that there are a handful of governors around this country who lack the confidence in their administrations and in their education systems to design a system that is in the best interests of their children. And for those few governors, they do indeed rely upon this Congress to make decisions for them.

But for the vast majority of governors, their ideas are very different. They ran for office on the notion that they could improve schools. In fact, when we look around America today, the greatest accomplishments in school reform do not come from people here in Washington, I hate to say, they are coming from the 50 individual governors who are closer to the people, more responsive to those who elect them, and in a far more capable position to design education programs that meet the needs of the children they understand and know best.

I met with a bunch of schoolchildren this morning who were here visiting, and I asked some of those students, I said, let us pretend that you are the principal of your school. What would you spend the Federal money that comes back to your school on. One little girl said computers, another little girl said, well, she would buy more furniture for her classroom, desks and chairs and so on. Another said we should buy more books. Another said, well, we need more space.

And I use that example to show that even in a roomful of children, who are in classrooms every day, their ideas, as third graders, about what is important, varies dramatically. The same is true for all 50 States. It makes no sense, therefore, for people here in Washington to assume that we magically have the answer for all 50 States in the Union, that what is good for New York City is good for Fort Collins, Colorado.

I am here to tell my colleagues that New York City may be a great place, but we do not want their schools. There may be good examples that we can borrow; there may be great things New York could find out in our part of the country. But to assume a child in Atlanta is the same as a child in Detroit is the same as a child in Denver is the same as a child in Seattle is the kind of thinking that we are trying to move out of this city, frankly.

At that meeting with those children we handed out little constitutions, and one of the amendments in the Constitution I would like to remind Members of is amendment 10. Let me just read it; it is real quick. ''The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively or to the people.''

It is the spirit of the 10th amendment that drives this legislation for us today. Because I think our founders were right. I think they are right even to this day; that States should be trusted, specifically when we are talking about the issues that are not even mentioned in the Constitution, like education, to deliver the services that are closest to the people and closest to the States.

In fact, I would defy any of the Members here to take this constitution and

find in it where the Federal Government has specifically been given the authority to manage my child's school back in Fort Collins, Colorado. It is not here. I will leave a copy here. I invite anybody tonight to come and point that out for us. And I would venture to say that by the end of the evening this Constitution will still be sitting there.

I served 9 years in the State Senate back in Colorado; served on the education committee. And let me tell my colleagues how frustrating it is, because we agonized and worked every day to try to help the children in our schools, to try to get dollars to their classrooms, to try to treat the teachers like real professionals, and the superintendents and principals like professional managers, because we knew that if we could empower those professionals, we could do more to help children. And it was so frustrating at the end of the day to realize that our hands were tied by the rules of Washington, D.C.

In fact, I have heard my colleagues stand up and praise the work we did earlier today. Earlier today, we passed this set of laws; 495 pages of new laws passed today. And that is what my colleagues on the opposite sides of the aisle are celebrating. Here is what we are proposing now. We are proposing 23 pages of new laws. Very different kind of laws, laws that represent academic liberty, managerial freedom for States, for superintendents, for principals.

Which should we pick? Is this one my colleagues' idea of quality education in America, or is this? I know what principals back home in my State will say. They want less rules, fewer regulations, more freedom, and more liberty. They are willing to take the accountability that goes along with it, and the only regret I have is that only 10 States will have the opportunity.

Let me just point out that the governor of Pennsylvania wrote to the Congress in favor of Straight A's, as well as the Education Leaders Council, a large group of school executives, has written in favor of Straight A's. These are the leaders who represent 25 percent of the students around America.

Finally, let me finish with this. This is an optional program. Ten States are going to have an opportunity to choose to be exempt from these rules and regulations under Straight A's. What in the world is this Congress afraid of? With all due respect, I trust governors to manage the education of my children. I do not trust people in Washington.

Mr. CLAY. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Mr. Chairman, let me thank my ranking member for yielding me this time.

Later on, we will have a chance to vote on the only Democratic amendment to this bill. It will not make this bill one that is supportable in many respects, because there are still major issues that divide us. But I want to take some time to just discuss the issue that I am going to raise in my amendment.

The thrust of the bill, which I think sincerely is offered by my colleagues, many of whom I serve with on the Committee on Education and the Workforce, is that what we need to do is give States more flexibility, give them some money, and let them figure how to disburse it because they know best how to educate their children. I think that theory needs to be analyzed.

We need to look at what States are doing with the money they now control, and have total control of, and what their doing in response to the needs of disadvantaged children.

What is going on in 49 out of our 50 States in this country is that there is a wide disparity between what is being spent in one school district in our States and in other school districts in our States. In fact, hundreds and hundreds and hundreds of school districts have filed suit in either State or Federal Court challenging these school finance systems. And more than the majority of States, some 37 States are in various stages of litigation. We have seen the State court of Michigan and Ohio and a number of other States, New Jersey, rule the school finance systems unconstitutional because they take disadvantaged students and they give them sometimes as much a third less, or a third, of what they give other school districts.

□ 2030

That is that we have disparities that range from $8,000 per pupil in some of our States to many of them $1,000 or $2,000 or $3,000 per pupil per year. When we add that up in the aggregate by classroom, let me give my colleagues a sense of what those numbers mean.

In Philadelphia, the City is spending $70,000 less per classroom than in the average suburban school district surrounding the City. The 45 suburban school districts are spending on average $70,000 more per classroom. Over the K–12 experience of a kid's educational life, we are talking about upwards of an $800,000 differential being spent in one classroom versus the other.

Some may have seen the story in the Washington Post looking at high schools in Illinois 30 minutes apart describing those two schools in terms of their circumstances, one with no chemistry equipment in the lab, no financial connection to the Internet, very little by way of library books; the other with three gymnasiums, 12 tennis courts, functional computers in every classroom. And on and on and on the story went.

Well, that was about Illinois. But my colleagues know and I know that we can find schools that meet those descriptions in any State in our country. In States who control more than 90 percent of the money, as many of my colleagues on the Republican side keep reminding us, they every day have funding formulas that put disadvantaged families in rural America and in urban America at a disadvantage.

We have 216 rural districts in Pennsylvania that have filed suit 13 years ago challenging the school finance system. There are children who started in kindergarten in those school districts that have now graduated from high school in those districts, and the supreme court in our State has yet to find it appropriate to rule on it, as has been the case in some other States.

I would suggest to my colleagues that before we give States flexibility we demand some accountability. My amendment will offer them that opportunity.

Think about the Congress. We all get paid the same amount of money. Think about the NFL. They have a strict set of guidelines in terms of salary caps, the spread of the field, the number of people on each team, and then they can go compete. We have poor people who we are asking them to compete without giving them the resources to compete.

I think that it is a time now for the Federal Government to step in and say, look, they can have the Federal dollars, but the first thing they need to do is equalize their per-pupil expenditure, and if they are telling us that money does not matter, then equalize their achievement; and if they can equalize their achievement, then they do not have to equalize their expenditure. But they cannot have it both ways. If money matters, then give every kid a fair opportunity.

Mr. PETRI. Mr. Chairman, I yield 4 minutes to the gentleman from Colorado (Mr. TANCREDO) a hard-working, active member of the committee.

Mr. TANCREDO. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, a late comedian, a gentleman by the name of Flip Wilson, used to use a line I recall. He used to say all the time ''the devil made me do it'' as the tag line. Do my colleagues recall that? I think they do. I can hear the laughter.

Well, for the past 30 years or more public schools in the United States, when challenged about what their problems were, when challenged to explain why they were not being able to produce the results that we asked them for, have essentially used the same line ''the devil made me do it.'' But, in fact, in this case the devil was the Federal Government.

We heard it all the time from them, every time we turned around. I cannot accomplish this. We cannot do this. Why not? Because of the Federal rules, the Federal regulations they impose upon us that block our ability to actually accomplish the ultimate goal.

We have all heard it. Certainly, when I taught in public schools for 8 years it was the common statement being made in the faculty lounges in the districts in which I taught. It is prevalent in every school district in America, the Federal Government made me do it.

Well, sometimes that claim was accurate. Sometimes it was not. It certainly could be backed up with a great deal of empirical evidence.

My colleague the gentleman from Colorado (Mr. SCHAFFER) used the condensed version, but this is about half of the ESEA, the Elementary Secondary Education Act, and this is what they were referring to. These are the rules and regulations that will be over a thousand pages, by the way, when we get down with ESEA. This is only half of what we passed so far. It started out in 1965 at about 32 pages. It has grown in the 34 years since then to over a thousand.

Many, many claims are made on this floor, many of them that are incredibly audacious sometimes. We all know it. But the one thing I have yet to hear in the debate on education is a claim by anyone on our side or their side that over the last 30 years education in this country has improved. No one dares say that because they and I both know, everyone knows, that that is not accurate, that, in fact, educational attainment levels have plummeted in the last 35 years to a point where we now have literacy rates in the United States lower than some Third World nations.

We have incredible problems in our schools. This is something that we can all agree on. There was something else that we could all agree on it seemed like when we were actually debating Title I in our committee, and that was that Title I had been essentially a failure.

Certainly we have heard that from people from all over the United States. We even heard it from members of the committee, from their side of the committee, the gentleman from California (Mr. MILLER) for one. I know what is currently law, and that law is not working. This was a Member of their side.

So when we come to them with a proposal to change that situation, when we say we know that education in America is not doing well, we know that attainment levels are plummeting, and we know that our program to fix it is not working and has not worked for 35 years, here is a way to change that, everybody gets very self-conscious about it.

But, after all, what are we trying to replace it with? What do we, in fact, know that does work? When we look out there across the land, what can we point to with any degree of semblance of any degree of success? It is, in fact, diversity. It is, in fact, the charter school movement. It is where we allow children in public schools to select from a variety of public schools.

These things are working. Student achievement levels are increasing in those areas. It is because of diversity, exactly what this bill intends to give States.

Mr. CLAY. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Chairman, I thank the gentleman from Missouri (Mr. CLAY) for yielding me the time.

Mr. Chairman, we just finished reauthorizing Title I. We also, by two votes, rejected private school vouchers.

Now we consider this bill, which will essentially waive all of the valuable provisions in Title I and send for the first time targeted money for low-income public schools, students of public schools to private schools, as vouchers.

This kind of bill requires us to focus on what the Federal role of education really ought to be. That Federal role is to do what the States will not do.

For example, the historic role of the Federal Government came in 1954 when many States were segregating student by race, separate and inherently unequal schools existed, and the Federal Supreme Court intervened. That is why they intervened.

We also found years ago the disabled students were not getting an education, millions of students no education at all. That is why we passed Individuals With Disabilities Education Act. And now, because of Federal intervention, disabled students enjoy an opportunity to get an education.

We also found years ago that poor students were not being properly funded. We found that there was an egregious gap in funding between rich and poor neighborhoods. Low-income citizens routinely failed to get reasonable funding. That is why we passed Title I, to target funds to poor students because States and localities just will not do it.

The Title I bill we just passed had enough loopholes in it. For example, school districts for the first time can spend all of their money on transportation. We failed to put a limit on the money they could spend on transportation. And because we liberalized the school-wide programs where a majority of the students do not even have to be poor, we have a situation that targeted money, money targeted to low-income students' education can now be spent on transportation, which does not help their education, and a majority of the people benefitting do not even have to be poor.

This bill makes matters even worse. It allows States to waive the little targeting that we had in Title I and allows money to be sent to private schools for the first time. That is wrong.

Mr. Chairman, if we really trusted States and localities to properly fund education for low-income students, we would not need Title I in the first place. But we do need Title I. And, therefore, we do not need this bill, and I urge my colleagues to defeat it.

Mr. PETRI. Mr. Chairman, how much time has each side remaining?

The CHAIRMAN. The gentleman from Wisconsin (Mr. PETRI) has 20½ minutes remaining. The gentleman from Missouri (Mr. CLAY) has 27½ minutes remaining.

Mr. PETRI. Mr. Chairman, I reserve the balance of my time.

Mr. CLAY. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Chairman, I thank my friend the gentleman from Missouri (Mr. CLAY) for yielding me the time.

Mr. Chairman, I rise in opposition to this legislation.

A few minutes ago, the very articulate gentleman from Colorado (Mr. SCHAFFER) challenged us rhetorically to cite the basis in the Constitution for the Federal education laws which are block granted and, I believe, functionally repealed by this bill.

I would suggest to my colleagues that there is indeed an important constitutional basis for these Federal education laws. It is the relevant part of the 14th Amendment that says that no State shall deny any person life, liberty, or property without equal protection of the law.

The theory of giving local decision-makers more flexibility to do the right thing is alluringly attractive. We all know and trust and admire certain local decision-makers in our districts, and we know that they are capable of making excellent judgments, as they do every day. But that alluring theory runs head-long into the harsh reality of history in this country, and the history of this country is this:

The children living in poor neighborhoods have historically had much lower levels of educational opportunity. They have gone to school in facilities that are very often segregated by race, that are very often inferior in their physical plan, that have larger class size, very often that have less qualified teachers, less access to technology, and fewer of the positive attributes that successful schools have.

Thirty-five years ago this Congress made a judgment to do something about that, to bring more equal protection to those children who did not have and do not have a lot of clout in the State legislatures, who do not have and did not have the ability to make immense campaign contributions to people running for governor or the State legislature, and we made a judgment that says that we would put a modest amount of money into reading teachers, for tutors, for facilities in the Title I, Part A program.

We made a judgment that some of those children should have the chance to get an even start by going to school before kindergarten. And we looked at children that were the sons and daughters of migrant workers and understood that when they went to one school in September and another one in October and another one in December and another one in February that they have a special educational problem.

Later on we made a judgment that putting police officers and teachers in front of third- and fourth- and fifth-grade classrooms in the safe and drug-

free school program made sense. This is not an imposition of Federal will upon local decision-makers. This is the proper establishment of a national policy that says that all children have the equal protection of the law that the 14th Amendment guarantees them.

□ 2045

Frankly, it is an effort that falls far short of what we really ought to do. Because we really ought to have a viable school construction program that takes children out of trailers and hallways and puts them in a good facility. We should enact the President's initiative to put 100,000 qualified teachers in classrooms in every community in America. We should, as many Republican Members of this House have said, have met our obligation and fully fund the IDEA. What we did today with over 300 votes was reaffirm our historical commitment to assuring equal protection under the law for all of our children.

What this proposal does is to abandon that commitment. That commitment is not a Democratic or Republican commitment. It is not liberal or conservative. It is not regional. It is part of the essential sense of who we are and what we are as a people. Let us not abandon our historical commitment to the children of this country. Let us reject this legislation. Let us reaffirm what over 300 of us did earlier today and stand by our commitment for equal protection under the law.

Mr. PETRI. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee (Mr. BRYANT).

Mr. BRYANT. Mr. Chairman, I thank the gentleman from Wisconsin for yielding me this time. It is good to sit here on the floor and hear this debate and hear it affirmed on this floor that we all, Republican and Democrat alike, agree that we want to see our children educated in a better fashion across this country, that we all agree that this Congress can have a role in that, but yet we disagree at some point, I think, on some parts of how we get to the solution here to this problem.

If I sit here correctly and understand the underlying premise of the opposition to this bill, it is based on the presumption that Washington knows better than the parents and the teachers and the administrators and the city officials and the State officials around this country. I believe that argument is wrong, because I think that this bill is best served under these circumstances by providing the grants that have been talked about.

The Straight A's bill is a measure that does give to these States and the local education officials an opportunity to take more control over their own system. This bill is about flexibility and accountability which I believe are two very important principles in the education of our young children. It provides the flexibility to our students and our teachers and our administrators to learn but yet it holds them to a standard of accountability. Once this 5-year agreement is in place with the Department of Education, and as I would reiterate to those that are listening to this debate, that this is a pilot program that will be in 10 States only. Once this is in place, each local and State school district participating would be held to a strict standard, requirement for improving student achievement. In this agreement it states that they would have to put in place a system that evaluates student performance, that gives us concrete results that we can measure by.

One of the more important aspects of this bill is that once the State and local districts have the flexibility to use the Federal funds as they see fit, improvements will be made. Whether that problem is raising academic achievement or improving teacher quality or reducing class size or putting technology in the classroom, this legislation frees up the State and local authorities to use the Federal funds to improve their school systems just as they know best.

As my colleague from Michigan said, we would be better served if we let those people who know our students by name make the decisions, have the flexibility, yet hold them to a strict standard of accountability in spending these additional funds. I say, let us give this experiment a chance to work, let us compare the results that we get, and I think in the end when you award that right of educating the students, that you will see an improvement under the Straight A's Act.

I simply urge my colleagues to support the bill.

Mr. CLAY. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. MARTINEZ).

Mr. MARTINEZ. Mr. Chairman, I want to thank the ranking member for allowing me this time to speak.

As I said earlier today, I knew the love fest was going to be over as soon as this bill hit the floor and the honeymoon would be over and we would be into the same unbipartisan cooperation that we usually are in.

The gentleman who just spoke said that our preconceived notion was that Washington knows best. I do not know who he is speaking for because I do not think he is speaking for anybody on our side. No one on our side has ever said that Washington knows best. That is their theme, not ours. The fact is that they miss the point. When you eliminate the programs that they eliminate and if you look at the programs they eliminate, some of them are programs that that side of the aisle has never liked to begin with. Even though I believe that very seriously they think they are doing the best for a majority of the population, they do not understand that much of this Federal money was targeted to special populations that were ignored by the local education agency. They were not populations that were being taken care of. The only one that I am grateful that they left out of here was IDEA which at least they realized in that instance that that is a special population that needed to be targeted, needed to be focused. But that is the point of this super-block grant that they are putting together, is that it does not focus on those special populations.

Let me make it very simple for my colleagues. Let us say we are talking about Title I and we are talking about appropriating money on the basis of the poverty population of a school. Initially we said that a school receiving funds had to be 75 percent, then we reduced it, we just had an argument over 40 or 50 percent, that then if there was that amount of poverty population in the school, they could use the money then schoolwide.

Let me explain how this works and it would work to the same degree on the idea of block-granting all of these programs. If you have, to make it real simple, 100 students in a school, and you gave that school $100 and four of that population, of that 100 population were the qualified disadvantaged that you needed to target, well, if you gave them all the money, each one of them would get $25. But, now, if you gave it to the whole school, each one of the school would get $1. How do you justify spreading the money that thin and really think that it is going to do any good for those four students that really needed it?

That is the problem with this whole proposition that they are coming forth with, is that they ignore the fact that the only reason the Federal Government is involved in these programs at all is because there were court cases that proved that local education agencies were not addressing these issues on a local basis. So in that regard, no, the locals did not know best. They did not know best. And it is not that Washington knew best but Washington knew that there was something that they had to do to force the local education agency to accept their responsibility of educating migrant children, of educating children with disabilities, of educating children that came from a disadvantaged backround.

When I entered kindergarten, there were none of these programs. As a result, over 50 percent of the kids that entered kindergarten with me never graduated high school when I did. They had dropped out. The result of this block grant is going to be the same thing that happened before, is the ignoring of those special populations.

The fact is that you can stack all the pieces of paper that you want to and talk about all the regulations that exist here from Washington for the use of these moneys. I call it accountability and it is taxpayers' dollars and we should make them accountable for it. But the fact is that if you look at the State regulations, they are 10 times, 20 times the amount of regulations that the Federal Government puts out.

Mr. GOODLING. Mr. Chairman, I yield 4 minutes to the gentleman from

Georgia (Mr. ISAKSON), a member of the committee.

Mr. ISAKSON. Mr. Chairman, I rise today not as a partisan Republican or Democrat but as one that is very partisan to our children and their education. I rise to take issue, not to make an argument, to make a point, on two comments that have been made, one by the majority and one by the minority. One comment was that this was a cheap trick, designed to create 30-second soundbites. Well, it is not cheap. It is 13 to 14 billion Federal dollars that are invested in these 14 programs and our children. The majority said that it is time that we take a chance. You are never taking a chance when you invest dollars in children.

I do not think everyone that has talked about this bill has read the 23 pages that are in it. And so for just a second, I want to give a perspective to all of us. This bill is really not about block grants. If you read it, it is a request for proposal. It says that up to 10 governors, Democrat or Republican, it does not matter, whichever governors come first, up to 10 governors can apply to have the flexibility to use the money in 14 programs across their school district in return for improving performance. And then you need to read the performance measures that it asks for, because here is where it targets the disadvantaged and the most needy. If you read the description for the performance, it says, first of all, every system must rate their children at basic, at proficient and at advanced and then on an annual basis, grade to grade, must compare the improvement. That is part of the 5-year contract. That is part of the 3-year measurement where they can lose the funds if they decline. And then, secondly, it provides rewards. It provides rewards for those systems that close the gap by greater than 25 percent from their least proficient to their most proficient students.

I just left Governor Hunt of North Carolina who was referred to a minute earlier. I left him where he received accolades because he put a reward system in his State for those teachers who became certified and improved themselves and saw measurable improvement in their children. That is no difference than what this particular bill does. To close the achievement gap, you do not do it by raising the top advanced students. You do it by raising the bottom. To take the hypothesis that this does not address the most needy children is to presume a public school system would meet performance by lowering its best rather than uplifting its worst. That on the face of it is an insult to local educators.

I do understand the fear of change. But change is not taking a chance. There are three groups of people in this Congress: There are those that would tear this down, tear it down because it is a change. There are those that would tear down the Federal Department of Education because they do not like it and I do not agree with them, either. And then there is a third group, which is really all of us, that care about kids and do not want to tear anything down.

And so at the risk of going past my time, I want to close with a poem and challenge both sides to decide which they want to be:

I saw a bunch of men tearing a building down.
With a heave and a ho and a yes, yes, well,
They swung a beam and a side wall fell.
And I asked the foreman:
Are these men as skilled
As the ones you would hire if you had to build?
He said, oh, no, not these.
The most common of labor is all I need.
For I can destroy in a day or two
What it takes a builder 10 years to do.
And so I ask myself as I walk my way
Which of these roles am I going to play?
Am I going to go around and build
On firm and solid ground,
Or am I going to be the one that tears down?

I submit we build with H.R. 2300.

Mr. CLAY. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. OWENS).

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

Mr. OWENS. Mr. Chairman, tonight we are seeing the naked fist of the Republican education philosophy. The education guerilla warfare is over. This is a full scale invasion under way at this point. The tanks are in the streets, the dive bombers are in the air, and the big guns are booming. The Republican objective is the obliteration of the Federal role in education. That is what this is all about. Couple this bill with the fact that there is an appropriations bill floating around which has skipped over the House of Representatives and some kind of conference is taking place and it is coming back to us with deep cuts in the budget of the Department of Education as well as cuts in many of the innovative programs that have been proposed and passed in the last few years, and you will understand that this is part of a larger, grand design.

□ 2100

Straight A's means total destruction. Ed-Flex and Teacher Empowerment were probes; they were probes to establish beach-heads and to get us sucked in. But this is it. Straight A's tells the full story.

Now, we were criticized a few moments ago. Somebody said we have not even read the bill. Well, we know what came out of committee, and we know what the debate in committee was like. I understand there has been a drastic change because the extremism of the bill that came out of committee was too great to be digested even by the Republican majority. So we have a cutback, and 10 percent is being proposed, but it does not matter. It is a juggernaut into the Federal role in education.

This is it. As my colleagues know, if we pass this, then it is all over in terms of Federal role. It would just be downhill from here on.

Straight A's is the beginning of a final solution to what the Republicans perceive to be the Federal nuisance in education. I do not know why that irrational perception persists, that the Federal Government is the problem. How can the Federal Government be the problem when the Federal Government only provides 7 percent of the funds? If it only provides 7 percent of the funds, it only has 7 percent of the power. Ninety-three percent of the power resides with the State and local governments to make decisions about what happens with our schools, and if our schools are in bad shape, if education needs improvement greatly because over the years things that should have been changed and were not changed, things that should have been happening did not happen, it is the State and local governments that have to be blamed. The Department of Education has played a limited role, and it should continue to play that role.

Specific language of this bill is almost irrelevant. It is the real intent, because the overriding intent is what is really dangerous. It destroys the checks and balances between the Federal Government and the State and local government. What is wrong with having a Federal role which is only 7 percent of the power and decision-making to help check the power and decision-making at the State and local level? For years and years the State and local governments had full reign on what happened in elementary and secondary education, and we drifted backwards steadily.

Where would we be in this high-tech world as we are moving toward a cyber-civilization? Where would we be if we strictly had the old State and local government participation only? Many of the most important innovations and the most important things that have happened in State and local education have been prompted, have been stimulated, by the small participation that we have had from the Federal Government. What is wrong with shared power? Why are we obsessed with not having the Federal Government participate in sharing the power and decision-making about education?

We are ignoring the opportunity, as my colleagues know, for some real changes here. A few minutes ago the speaker said that change is being proposed and we do not want to go along with change. Well, this is destructive change. This is change in the wrong direction. What we are ignoring is the opportunity right here to make some constructive and some creative changes.

We ought to be talking about where we are going toward this new cyber-civilization in the next millennium. We ought to be talking about what we need to do to bring our schools up to par, to be prepared to provide a full-scale education to every youngster, not just in reading and writing and arithmetic, but also in computer literacy.

We ought to be talking about how we are going to maintain leadership in the

world where we are now the leading computer power, and our economy is way ahead of all the other economies because of our computerization, and that, as my colleagues know, that stroke of genius, collective genius, we should be proud of and build on it.

But instead of building on that, we come with the old cliches about the Federal Government has no responsibility in education because, after all, the Federal Constitution, the Constitution has nothing about Federal responsibility for education. The Constitution says nothing about Federal responsibility for roads or highways.

As my colleagues know, the Morrill Act, which established the land grant colleges, there is nothing in the Constitution that said they should do that, but thank God they did, that we have a system of land grant colleges which allowed agriculture to blossom and we become the agriculture power that we are in the world.

The transcontinental railroad, the Federal Government, the Constitution, said nothing about building railroads, but the Federal government paid for the building of transcontinental railroads.

The GI bill, which allowed every GI who wanted to go to school, to higher education, to be able to get an education after World War II, Constitution did not say we had to do that.

The Constitution does not dictate what is in the interests of the American people. It is the Members of Congress; it is their vision, their foresight that has to guide where we are going, and right now we ought to be going toward an omnibus bill for education which looks at all aspects of it and comes forward in what we need to go into this cyber-civilization that we are going into, what kind of education do our kids need, not this quibbling about getting the Federal Government out of education. It is childish, it is juvenile, but it is dangerous, it is very dangerous.

Mr. GOODLING. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. BURR).

Mr. BURR of North Carolina. Mr. Chairman, I can remember before I got here, sitting at home watching this institution at work, passing some of the legislation that they did, thinking why did we do it again? It did not work last time, and it did not work the time before. Boy, if I were there, I would change it.

I have learned since I have gotten here how difficult it is to get people to release the power here, to actually rely on individuals that are closer to the problems to play a part of the solutions. It has been an eye-opening experience.

Since I have been here, I have had an opportunity to spend time in schools, to meet with teachers, to talk about the problems, to hear firsthand, to ask questions and to hear them say when I ask, Why do you do it that way?, their answer is: Because you make me, you Washington.

Let me make my point, if I could.

I heard earlier that the purpose of Federal dollars was for Federal initiatives. I would tell my colleagues that I have a huge difference with the gentlewoman that said that. The purpose of Federal dollars is the same as State dollars and local dollars as it relates to education. It is to help our kids learn. It is to supply the resources so teachers can teach. It is to make sure that the tools are there.

My colleagues on the other side of the aisle have said that we cannot trust governors. I guess that means we cannot trust school boards or parents or anybody in the school system because they all play a part.

This program is voluntary. This program is voluntary. States will choose to pick whether they want to participate or not.

I truly believe that every person in this institution is after the same goal, and that is to increase the learning and knowledge of our students in this country.

So what is the difference, quite simply? We have heard it tonight. It is over who holds the power. Some want to hold it here; some of us want to return it home to teachers and to parents and to educators. That is a huge difference. It is a difference that clearly, I think, makes a difference in the education of our children.

It is startling to know that over half the paperwork required of the North Carolina Department of Public Instruction in Raleigh is required by the Federal Government for only 6.8 percent of the overall funding. That is certainly not equitable.

The single most important investment that we can make in this country is in our children. Congress has made sure that enough money is set aside for education. Now let us just make sure that it gets to the classrooms. Let us make sure that under Straight A's our kids have the computers, have the resources, that more teachers are in the classroom, that schools are safer, and that we guarantee academic results.

I urge my colleagues to support this legislation and trust parents and teachers.

Mr. GOODLING. Mr. Chairman, I yield 1½ minutes to the gentleman from Louisiana (Mr. VITTER).

Mr. VITTER. Mr. Chairman, as my colleagues know, I think all of us can agree that the key to improved education is increased accountability. The real question is what do we mean by that? The usual response from the education establishment is that increased accountability has to mean increased Federal mandates, specific program dictates, basically jumping through specific bureaucratic hoops. But that emphasis on process has failed our schools and our children miserably.

States recognize, as people on the ground in the trenches, so to speak, recognize this, including my State of Louisiana: we are requiring schools and districts to demonstrate annual progress toward meeting actual performance standards; and as a result, those schools that are meeting their goals and those schools that are not have been identified, and my district, St. Tammany, is leading the way, scores demonstrably better than other schools, and they are a model in my area.

We need to piggyback on that concept, and the choice is clear. Congress can support these successful State efforts and improve academic achievement by allowing States to use Federal dollars more effectively rather than insisting on simple bureaucratic hoop jumping, and that is what the debate is about, what does accountability mean, jumping through certain hoops or achieving bottom line results?

Results matter. Results mean educating our kids, and we need to focus on those results.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Chairman, I thank the gentleman for yielding time.

Today is a crossroads day, a pivotal day. It is a crossroads because today we become either partners or obstacles to reform. State after State, governor after governor, Republican and Democrat, has shown us the promise and potential of a merging American education reform. Their stories are exciting; their stories are optimistic.

Thomas Jefferson called the States laboratories of democracy. It is much more than that. The States are not just engaged in experiments; they are engaged in a race, a race for education, a race towards excellence.

The governors, the best governors from around the Nation, are looking at each other. They are looking to other States, seeing what is working, copying it, benchmarking it, adopting it, refining it, improving it, always pushing further down the track.

Each experiment moves us down the track and brings us all up so that no one is left behind, not the inner-city youth, not the tribal school student.

I want to close with this troubling thought. As my colleagues know, so many of us came from State and local government, Mr. Chairman. But yet many of us here today are poised to say that we do not trust our former colleagues. There must be something sacred or divine in the water out here in Washington. Suddenly, when we are sworn in, we become all knowing; we become the repositories of all that is good in education. Somehow we have made that change.

Obviously that is absurd.

Today, I say it again: we are at a crossroads. We can either be partners for reform or obstacles to reform.

Mr. CLAY. Mr. Chairman, I have one more speaker who is on his way; so, Mr. Chairman, I yield myself as much time as I may consume.

Let me say why I think we ought to vote this down.

First, the Straight A's does not ensure that dollars will reach the classroom. These dollars can be spent in any fashion that the local district would want it to be spent, and apparently that is the aim of those who are promoting this. But that is not what is best policy for this Nation. Our dollars ought to be spent on national problems that are not being addressed at the local level. This is not just a big fund where we just supplement the resources of local communities.

In addition to that, Straight A's undermines our commitment to the neediest children, the most educationally disadvantaged. If we do not target this money to those in the needy areas, the money will never get there. That is history; it will repeat itself.

Now I have heard over and over during this debate a lot of cliches, but I have not heard many logical recommendations for addressing the problems of our neediest children educationally. We keep hearing the cliche: let the people closer to the problem make the decisions. That is meaningless according to the legislation that is consistently proposed. If they wanted the people closest to the situation to make the decision, then they would give the money directly to the local school districts instead of transferring it through the governors of the States.

□ 2115

I keep hearing them talk about kids trapped in bad schools. Well, they do not give a damn about kids trapped in bad schools; their record indicates that. They are opposed to educating those kids in bad schools. They want to use this money to send kids to parochial schools; and the parochial schools, we do not know whether they are good or bad, because they do not test their kids. And they do not test their kids, and they do not have any assessments or any value system for whether or not one is achieving educationally.

I keep hearing this cliche about government is the problem, and I keep hearing it from people who are part of this government. I have been here 31 years. During that 31-year period, Republicans controlled the White House 20 years. The last 5 years, they have controlled the House and the Senate. They are the government, so if the problem is government, it is their problem, not the problem of the local school districts.

So I say to my colleagues that this is a bad bill, a very bad bill, and we ought to reject it summarily.

Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. Mr. Chairman, I stand here in total opposition to the Academic Achievement for All Act, H.R. 2300. I must admit that the other side has a tremendous ability of making names sound good. If one listens to the names, how can one be opposed to this? The AAA. When one is on the highway, and one is looking for help, what does one look for? They look for the AAA. They come there to rescue; they come to give assistance; they get to you when you need someone, when you are someone in need. So the AAA sounds like a great title for this bill.

But what does the AAA do here? We now have this H.R. 2300 which eliminates the following Federal education programs, turns them into block grants, without any kind of adequate accountability: Title I compensatory education to help disadvantaged children, eliminated; class size reduction, eliminated; safe and drug-free schools, eliminated; Goals 2000, eliminated; Eisenhower Professional Development Training for Teachers, one of our great presidents and generals, named after him because of what he exemplifies, eliminated; vocational education, eliminated; emergency immigrant education, eliminated.

But what does it do? It gives flexibility to States. It allows governors to do what they want to do because they know best, it says. What will it do? It will allow vouchers for private schools.

So what we are saying is the defederalization of the 7 percent that the Federal Government had, and it dilutes targeting for special needs populations. It would result in significant funding shifts among localities. It would weaken accountability of Federal funds. The reason that the Federal Government became involved in education was because we found that the States turned their backs on those who were most in need. That is why the Federal Government came in and said we should have Title I programs, we should have Goals 2000. We ought to have School-to-Work so that we can have youngsters who are not going to college to be prepared for work.

So what does this do in one fell swoop? It takes it all out. What would it do? It would allow the use of public funds for private school voucher programs. It assumes that there are no legitimate national education priorities. When the Sputnik went up back in the late 1950s, early 1960s, when Russia was ahead of us in science and technology, our government came together and said we will have a national defense program. What was the national defense program? It was to put money in education so that we could put out engineers, so that we could put out scientists, so that we could beat the Russians to the moon; and we did, because we had a Federal national priority.

Now we are saying we have no longer any need for national priorities; we have no more a need for the government to focus on specific problems that we see in our society and say we need to overcome that, since the States are derelict in their responsibility. So along comes the AAA; and the AAA says, just let the governors do the right thing. We know they will do the right thing because, of course, to become a governor, one has to be right, right? Wrong. Governors before took the funds and did not distribute them properly.

Federal funds make up a minute 7 percent of total school revenues compared to State and local contributions; and these Federal resources must be targeted, that is the reason that we say the Federal Government should not dictate overall education policy. But there are some specific areas that we feel that the Federal Government wants to see more accountability, wants to see us engaged, and this bill just blindly trades flexibility for greater accountability. We have to hold people accountable.

So as we move into the new millennium and we see these tricky names coming up, the AAA, we are finding that this is going in the wrong direction; and I urge my colleagues to defeat H.R. 2300.

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. FORD).

Mr. FORD. Mr. Chairman, I rise in strong opposition to H.R. 2300 because I believe, as many of my colleagues on this side of the aisle have said quite eloquently, including the gentleman from Missouri (Mr. CLAY) and the gentleman from New Jersey (Mr. PAYNE) and others, this bill simply abdicates our responsibility to help ensure educational excellence for all children.

I had the chance not long ago to visit a model early childhood center in my State and met one of the young stars there at the center, Ellen. Ellen, just 4 years old, has already mastered many of the technological tools that pervade our work places and our classrooms today. She sat with me as she e-mailed her mother and her mother e-mailed her back.

Over the past few days, we have spent countless hours, Mr. Chairman, debating and deliberating the importance of a national commitment to education, to the point where the Republican leadership now feels that we can just abandon our responsibility to America's children. I am somewhat confused because earlier today we voted on an amendment offered by the majority leader, and now hours later, we are voting on something that would simply nullify all that many of my colleagues on this side of the aisle voted on much earlier today. I realize that both the majority leader and the majority whip would prefer to see States go there own way, regardless of the consequences. But what I find strange is that this bill completely violates the whole notion of local control because it takes power from parents and schools and centralizes it in State capitals.

I am confident the Speaker has spent enough time in classrooms in talking with parents and teachers around this Nation to know that Americans simply do not see the things the way many of my colleagues on the other side of the aisle see them tonight. I would ask that he encourage all of his colleagues to do the right thing, not abdicate this responsibility, do what is right for all

of our kids so that all young people will have the same opportunity that Ellen has and all of my friends in America who enjoy Social Security and Medicare can be assured that all working people in the 21st century will have an education. That is what we are seeking to do on this side. Unfortunately, my friends on the other side do not want to do that.

Let us not run from our responsibilities now. Our future depends on it.

The CHAIRMAN. The gentleman from Missouri (Mr. CLAY) has 2½ minutes remaining.

Mr. CLAY. Mr. Chairman, I yield back the balance of my time.

Mr. GOODLING. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I am very proud to have had some responsibility as in relationship to this committee's activities during the last 4½ years. I am very proud because we have done so many wonderful things. We reauthorized IDEA. It is too early to say how well we did. We will not know because unfortunately, the Department was very, very late in getting any regulations out. Hopefully, we have improved the Individuals With Disabilities Education Act.

I am extremely proud that we have been able to get $2 billion more for that program. We pleaded and pleaded and pleaded for years; and finally, we now are getting a little bit closer to the commitment we made to local school districts as far as financing IDEA. We reformed the entire Jobs program, a disaster, a disaster. No way could anyone get anything worthwhile in order to make their life better because of the job training programs that were there. We brought the Vocational Education Program into the 21st century.

In higher education, we put our emphasis on quality teachers. And, I am also happy to say that we increased Pell grants dramatically in that whole program. Child nutrition, this committee moved the child nutrition bill that gives every youngster out there a greater opportunity for good nutrition. Ed-Flex, 50 States can now have Ed-Flex. Teachers Empowerment Act saying, you have reduced your class size. If you have done that, then we want you to make sure that the teachers you have are better qualified to teach, and if you need special ed teachers, we want you to do that. And yes, Title I.

For the first time today, the first time today, Title I no longer will be a block grant program. Now, in 1994 we tinkered a little, because we realized it was a disaster, we realized it needed something done, but it was still pretty much a pure block grant program. As long as one could show the auditor where those dollars were going, it did not matter what one did; and one had no responsibility to show anybody that there was any accountability, that there was any achievement gap that was changed because of the money one received from the Federal Government. Hopefully, with what we have done today, that will change.

But let me tell my colleagues, one of the greatest things was, $340 million more the appropriators are saying for education than the President requested. That is pretty outstanding, in my estimation. But let me go back to what we are doing now.

I heard all of these arguments, all of this doom and gloom back in 1994. The word ''flexibility'' on that side, that was swearing; you do not say a terrible word like that. And all of a sudden, in 1994, they said, well, maybe we can have a little bit of flexibility. And guess what? In 1999, I do not know what happened. All of a sudden everybody is for flexibility, and all 50 States now can have flexibility. Is that not amazing, how doom and gloom all of a sudden changed to something that everybody could support, 50 governors and mobs of people, that is not a good term, most of the people in the Congress of the United States.

Mr. Chairman, would my colleagues believe that no matter what we heard, we are not eliminating any programs. Is that not amazing. We are not eliminating any programs in this Straight A's bill, not one. What we are saying is, something that I wanted to do for years; I wanted to say hey, could I combine a little of these monies with this program and this program so I can make one of them work. We could not do that when I was a superintendent. One cannot do that now. But now, we have an opportunity to say yes, all of the programs remain, the State can choose, as a matter of fact, to go Straight A's. If they do not want to go Straight A's, the local district can choose.

But guess what? The accountability, the performance agreement is so tough that I have a feeling there will be very, very few States, just as in the flexibility. We said six and then we said 12, and really, only two took a great advantage of that program to make it work. Now we are saying that here are 10 States. Do you have the courage, do you have the courage to meet the accountability requirements that are in this legislation?

□ 2130

Your goals must reflect high standards for all students and performance gains must be substantial. You must take into account the progress of all school districts and all schools and all children. You must measure performance in terms of percentage of students meeting performance standards such as basic proficiency and advance. As a State, you must set goals to reduce achievement gaps between lowest and highest performing groups of students, without lowering the performance of the highest achieving student; but you have to prove that you have done something about that gap that we could not do anything about in all of these years in Title I; and, yes, States, you can set other goals to demonstrate performance such as increasing graduation and attendance rate in addition to assessment data, and you must report on student achievement and use of funds annually to the public and to the Secretary, and you get a mid-term review, and if you are not doing well in that mid-term review you struck out and you lose your eligibility and you could lose loss of administrative funds if as a matter of fact as a State you did not make everyone live up to these standards and these requirements.

So I am happy to say that by the end of this day hopefully we will be giving every child in this country an equal opportunity for an academic program that spells success in future lives. I said many times; we cannot lose 50 percent of our students as we presently are. We positively for their sake and positively for the sake of this country, we will not compete in this 21st century unless we can make sure that every student is ready to get into the high-tech society and be able to succeed in the 21st century. I would encourage everyone to vote for the legislation.

Mr. GOODLING. Mr. Chairman, today we are here to debate the centerpiece of our education reform agenda which I introduced earlier this year, the Academic Accountability for All Act, known as Straight A's.

We have 129 cosponsors for this landmark legislation, and we have the support of many of the nation's Governors and chief state school officers too.

Today we passed H.R. 2, the Students Results Act. In that bill we made some important improvements to Title I program, along with other programs targeted at disadvantaged students. It is appropriate that we now move to Straight A's.

Straight A's is an option for those States that want to break the mold and try something new: more flexibility, in exchange for greater accountability than current law. It transforms the federal role from CEO to an investor. It is for States that believe they have the capacity to improve the achievement of their most disadvantaged students. Like welfare programs earlier this decade, where states like Wisconsin received waivers to implement ambitious and highly effective programs, we should free-up high-performing states to lead the way in education.

Let me assure you we are in no way contradicting or invalidating what we have just passed. In fact, most States would likely continue with the current categorical structure and operate under the Title I program just passed.

The status-quo education groups here in Washington want to keep things the way they are. We have drafted this legislation because of what we have heard from Governors, chief state school officers, superintendents, principals and teachers from around the country, not because of lobbyists in Washington. The people in the trenches want real change and they are the people who have made Straight A's what it is today.

Let me share with you what some of them have said. Governor Jeb Bush of Florida is in favor of more accountability, in exchange for more flexibility. According to the Governor,

> We can increase the impact that federal dollars will have on student learning in our State, if we are provided with more freedom and less one-size-fits-all regulations from the federal government.

Paul Vallas, Superintendent of the Chicago Public Schools has also asked for this flexibility. Chicago Public Schools have been the model of many reforms such as ending social promotion. He told my Committee earlier this year that they wanted the federal government to be a partner, not a puppet master. He said that instead

> What we want is greater flexibility in the use of federal funds coupled with great accountability for achieving the desired results. We in Chicago, for example, would be delighted to enter into a contract with the Department of Education, specifying what we would achieve with our students, and with selected groups of students.
>
> And we would work diligently to fulfill—and exceed—the terms of such a contract. We would be held accountable for the result.

Who are we to say you can't improve, you can't reform, you can't succeed? Much of what is new in Title I is taken from what States like Texas and Florida and cities like Chicago have shown to be effective. Why should we ask them to abide by our program requirements, when their programs are the ones that are working and improving achievement and the federal programs are not?

For more than three decades the Federal government has sent hundreds of billions of dollars to the States through scores of Washington-based education programs. Has this enormous investment helped improve student achievement? Unfortunately, we have no evidence that it has.

After thirty years and more than $120 billion, Title I has not had the desired effect of closing achievement gaps.

States now have access to ''Ed-Flex,'' which we passed earlier this year in spite of the Administration's initial protests.

Ed-Flex gives schools and school districts more freedom to tailor Federal education programs to meet their needs and remove obstacles to reform.

Ed-Flex, however, was only a first step. Ed-Flex is designed to make categorical Federal programs work better at the local level. But States still have to follow federal priorities and requirements that may or may not address the needs of children in their state. It is time to modernize the Federal education funding mechanism investment so that it reflects the needs of States and school districts for the 21st century.

For those States or school districts that choose to participate, Straight A's will fundamentally change the relationship between the Federal government and the States.

Straight A's will untie the hands of those States that have strong accountability systems in place, in exchange for meeting student performance improvement targets. This sort of accountability for performance does not exist in current law: states must improve achievement to participate in Straight A's. And if they let their scores go down for the first three years, they can get kicked out before the five year term is up. Nothing happens to States that decline for three years in current law.

States do not even have to report overall performance gains or demonstrate that all groups of students are making progress.

Straight A's frees States to target all of their federal dollars on disadvantaged students and narrowing achievement gaps, which could mean an additional $5 billion for needy children if all states participated. Under current law, States couldn't target more federal dollars for this purpose. This legislation also rewards those States that significantly narrow achievement gaps with a five percent reward, an incentive that does not exist in current law.

When we pass Straight A's, all students, especially the disadvantaged students who were the focus of Federal legislation in 1965, may finally receive effective instruction and be held to high standards.

For too long States and schools have been able to hide behind average test scores, and to show that they are helping disadvantaged children merely by spending money in the right places. That must come to an end when states participate in Straight A's. States and school districts must now focus on the most effective way of improving achievement, not on just complying with how the federal government says they have to spend their money.

Schools should be free to focus on improving teacher quality, implement research-based instruction, and operate effective after-school programs. Federal process requirements have created huge amounts of paperwork for people at the local level, and distract from improving student learning.

I would encourage everyone to listen carefully when people talk about accountability: Are they talking about accountability for process—making sure States and districts meet federal guidelines and priorities, the ''check-off'' system, or are they talking about accountability for real gains in academic achievement? Will achievement gaps close as a result, or will States just have to fill out a lot of paperwork about numbers of children served without any mention of performance improvements.

I know that most of you from the other side of the aisle are poised to shoot down this opportunity to advance effective education reform in the States and local school districts. I hope I can encourage you to have an open mind—to think outside the box—and consider this important piece of legislation. Listen to the people who are turning around low performing schools and districts. They want Straight A's.

Let's give the States that choose to do so the opportunity to build on their successes and improve the achievement of all of their students. The federal government can lend a helping hand rather than a strangle hold.

Mr. PAUL. Mr. Chairman, those who wish to diminish federal control over education should cast an unenthusiastic yes vote for the Academic Achievement for All Students Freedom and Accountability Act (STRAIGHT ''A's''). While this bill does increase the ability of state and local governments to educate children free from federal mandates and regulations, and is thus a marginal improvement over existing federal law, STRAIGHT ''A's'' fails to challenge the federal government's unconstitutional control of education. In fact, under STRAIGHT ''A's'' states and local school districts will still be treated as administrative subdivisions of the federal education bureaucracy. Furthermore, this bill does not remove the myriad requirements imposed on states and local school districts by federal bureaucrats in the name of promoting ''civil rights.'' Thus, a school district participating in STRAIGHT ''A's'' will still have to place children in failed bilingual education programs or face the wrath of the Department of Education's misnamed Office of Civil Rights.

The fact that this bill increases, however marginally, the ability of states and localities to control education, is a step forward. As long as the federal government continues to levy oppressive taxes on the American people, and then funnel that money back to the states to use for education programs, defenders of the Constitution should support all efforts to reduce the hoops through which states must jump in order to reclaim some of the people's tax monies.

However, there are a number of both practical and philosophical concerns regarding this bill. While the additional flexibility granted under this bill will be welcomed by the ten states allowed by the federal overseers to participate in the program, there is no justification to deny this flexibility to the remaining forty states. After all, federal education money represents the return of funds illegitimately taken from the American taxpayers to their states and communities. It is the pinnacle of arrogance for Congress to pick and choose which states are worthy of relief from federal strings in how they use what is, after all, the people's money.

The primary objection to STRAIGHT ''A's'' from a constitutional viewpoint, is embedded in the very mantra of ''accountability'' stressed by the drafters of the bill. Talk of accountability begs the question: accountable to whom? Under this bill, schools remain accountable to federal bureaucrats and those who develop the state tests upon which a participating school's performance is judged. Should the schools not live up to their bureaucratically-determined ''performance goals,'' they will lose the flexibility granted to them under this act. So federal and state bureaucrats will determine if the schools are to be allowed to participate in the STRAIGHT ''A's'' programs and bureaucrats will judge whether the states are living up to the standards set in the state's five-year education plan—yet this is supposed to debureaucratize and decentralize education!

Under the United States Constitution, the federal government has no authority to hold states ''accountable'' for their education performance. In the free society envisioned by the founders, schools are held accountable to parents, not federal bureaucrats. However, the current system of leveling oppressive taxes on America's families and using those taxes to fund federal education programs denies parental control of education by denying them control over the education dollar. Because ''he who pays the piper calls the tune,'' when the federal government controls the education dollar schools will obey the dictates of federal ''educrats'' while ignoring the wishes of the parents.

In order to provide parents with the means to hold schools accountable, I have introduced the Family Education Freedom Act (H.R. 935). The Family Education Freedom Act restores parental control over the classroom by providing American parents a tax credit of up to $3,000 for the expenses incurred in sending their child to private, public, parochial, other religious school, or for home schooling their children.

The Family Education Freedom Act returns the fundamental principal of a truly free economy to America's education system: what the great economist Ludwig von Mises called ''consumer sovereignty.'' Consumer sovereignty simply means consumers decide who succeeds or fails in the market. Businesses that best satisfy consumer demand will be the most successful. Consumer sovereignty is the

means by which the free society maximizes human happiness.

When parents control the education dollar, schools must be responsive to parental demands that their children receive first-class educations, otherwise, parents will find alternative means to educate their children. Furthermore, parents whose children are in public schools may use their credit to improve their schools by helping to finance the purchase of educational tools such as computers or extracurricular activities such as music programs. Parents of public school students may also wish to use the credit to pay for special services for their children.

It is the Family Education Freedom Act, not STRAIGHT ''A's'', which represents the education policy best suited for a constitutional republic and a free society. The Family Education Freedom Act ensures that schools are accountable to parents, whereas STRAIGHT ''A's'' continues to hold schools accountable to bureaucrats.

Since the STRAIGHT ''A's'' bill does give states an opportunity to break free of some federal mandates, supporters of returning the federal government to its constitutional limits should support it. However, they should keep in mind that this bill represents a minuscule step forward as it fails to directly challenge the federal government's usurpation of control over education. Instead, this bill merely gives states greater flexibility to fulfill federally-defined goals. Therefore, Congress should continue to work to restore constitutional government and parental control of education by defunding all unconstitutional federal programs and returning the money to America's parents so that they may once again control the education of their children.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in strong opposition to H.R. 2300, the so-called ''Academic Achievement for All Act.'' With this bill, the Republican majority takes a step backward by eliminating our federal commitment to education and washing the federal government's hands of its responsibility to our nation's students.

H.R. 2300 would establish a pilot program to allow ten states to use federal funds designated for programs like Safe and Drug Free Schools, Literacy Challenge Fund, and Title I funds, for virtually anything they deem ''educationally relevant.'' This essentially amounts to the block granting of Title I funds, which are critically important to the disadvantaged students in my district.

Title I of ESEA has done more for our nation's poor children than any other program. The possibility that this money may never reach our neediest students could have a devastating and lasting effect on their future. H.R. 2300, however, would allow states to give away federal funds specifically targeted for schools and students with the greatest need and give them to more affluent and wealthier school districts. This is just plan wrong.

The proponents of H.R. 2300 claim that state flexibility from federal requirements will focus more funding and attention on the needs of low-income and minority students. But the track record of most states, in the use of their own dollars suggests that low-income students lose, not gain, when states are not directed to do so. A 1998 GAO report which focused on state and federal efforts to target poor students found that, in 45 of the 47 states studied, federal funds were more targeted at low-income students than were state funds. The report further found that combining federal and state funds as proposed by this bill, would decrease the likelihood that the funding would reach the neediest students.

Mr. Chairman, no one is arguing against promoting high academic standards for all children. But in order to accomplish this we need to target limited resources to children with the greatest need. The truth is that only a strong federal role in reduction will assure that all children have equal access to a quality education.

Instead of weakening educational progress by promoting legislation such as H.R. 2300, I hope that my colleagues will work in a bipartisan way to strengthen accountability provisions to ensure that states are held responsible for the achievement of all their students, regardless of their income.

I urge my colleagues to vote against this ill-conceived and counterproductive bill.

Mr. WU. Mr. Chairman. I rise today in strong opposition to H.R. 2300, the so-called Academic Achievement for all Act (Straight A's Act).

For the past two days, Members from both sides of the aisle have worked together on the House floor to pass H.R. 2, the Student results Act. This bill strengthens Title I of the Elementary and Secondary Education Act. We were able to pass a bi-partisan bill that is good for our nation's children. Before the ink is even dry, the Majority party is seeking to overturn the improvements that we joined together to pass.

The Straight A's Act is plain and simple, a blank check without safeguards. The bill would block grant nearly ¾ of federal education programs including Title I, Eisenhower Professional Development for Teachers, and the Class-Size Initiative. I shudder to imagine how many students will fall through the cracks.

Under this scheme, gone would be the focus on specific national concerns of federal education programs that have evolved over thirty-five years with strong bipartisan support. Gone would be the targeting of funds based on identified need which now helps assure services for students who need them.

I agree with the proponents of the legislation that we need to provide more control and flexibility to the local level, which is why I worked to secure passage of the Education Flexibility Act. Ed Flex lifts burdensome and unneeded federal regulations to provide local schools flexibility and the opportunity for innovation. Let us continue on the path of passing common-sense legislation that meets these goals without cheating our nation's school children. H.R. 2300 is not the answer. I urge Members to vote against the bill.

Mrs. MINK of Hawaii. Mr. Speaker, I rise in strong opposition to H.R. 2300, the Academic Achievement for All Act. This legislation is nothing less than a block grant program that gives states a ''blank check'' for billions of dollars, without accountability or protection of our most disadvantaged students.

I cannot support legislation that attempts to educate our children on the backs of poor students.

H.R. 2300 would allow states to convert part of all Federal aid into private school vouchers; and it would allow states to take funding for poor schools and give it to the most affluent students; and it would allow states to take funds appropriated specifically for special needs students, and use it for the general student population.

H.R. 2300 guts the very core of Title I, the nation's $8 billion flagship program for our poorest students, by allowing States to distribute funds in a way that the governors and State legislatures decide, instead of by need and poverty-based allocation procedures.

And this bill would eviscerate other federal programs targeted at disadvantaged students. For instance, class size reduction allocations are based largely on the number of poor children in each district. Similarly, criteria for State allocation of Safe and Drug-Free Schools funds to local education agencies include ''high-need factors'' such as high rates of drug use or student violence.

Most Federal education programs were created specifically to serve disadvantaged groups, after Congress found that States and localities were not meeting the needs of those groups on their own. Today, the GAO still finds that State funding formulas are significantly less targeted on high-need districts and children than are Federal formulas. We must not give these States the opportunity to take money away from their poorest children.

I am also concerned that H.R. 2300 will strike our national priorities, despite overwhelming public support for these area. For example, national leadership by Congress to reduce class size in the early grades, tackle youth and drug alcohol abuse, provide professional development for teachers, and enhance technology in the schools have already reaped rewards. H.R. 2300 would allow the States to ignore these important priorities.

Moreover, I find it ludicrous that the Republican Majority would pass this Super-flex bill after a four day mark-up H.R. 2. H.R. 2, as amended by the Committee, maintains targeting requirements to serve poorest schools, first, increase funding for Title I schools, requires parent report cards to help parents hold schools accountable, requires all teachers to become fully accountable, prohibits use of Title I funds for private vouchers, requires all states to have rigorous standards and assessments, and makes permanent the comprehensive, research based educational school reform program that helps communities overhaul struggling schools.

H.R. 2300 eviscerates these reforms.

The Republicans have attempted to pass bock grants before, most recently with its Dollars to the Classroom legislation. However, their Block grants have failed because they lack accountability and they lead to decreased funding.

For example, in 1981, Congress consolidated 26 programs into a single block grant (now Title VI of ESEA). Since then, funding for Title VI has dwindled, falling 63 percent in real terms since 1981. Today, the program has no accountability, no focus, and can demonstrate no success in improving educational achievement. And the Republicans want to do it all over again with H.R. 2300.

The Republican Majority's emphasis on block granting, eliminating oversight and accountability, and eliminating targeting, flies in the face of the ''Academic Achievement for All'' that the Majority purport to want. Only a strong federal role in education will assure that all children have equal access and equal opportunity to quality education.

While Super-flex may be a bonanza for governors, it excludes local school district participation. The Council of Great City Schools,

which represents the country's largest and most diverse public schools, strongly opposes H.R. 2300:

> The bill repeals from current law virtually all critical local decision-making authority regarding the use and focus of the super flex funding, allowing the States to dictate local uses of funds based upon their political judgment at the moment . . . [It allows] . . . the State's chosen priority, to the exclusion of local school district priorities such as reading, math, science, or special needs children. A state could decide to use all these federal funds for private school vouchers, if allowed under State law.

The public wants us to improve education. They want us to promote high academic standards for all children, reduce class size, target resources to children with the greatest need, and enhance public accountability and oversight.

This bill shamefully abandons these standards and our commitment to education, and leaves disadvantaged schools and school children to fend for themselves.

I urge all of my colleagues to vote against H.R. 2300.

Mr. MORAN of Virginia. Mr. Chairman, I rise in strong opposition to this legislation. This bill is the very height of hypocrisy.

This legislation comes from a party who tried to eliminate the U.S. Department of Education in 1995.

This is the same party who is proposing $1.3 billion in cuts to priority education funding for this fiscal year.

These are the same people who have a two tiered agenda for federal education programs: to block grant programs and then cut the block grants. They may offer these proposals under the guise of education reform, and reducing federal oversight of education, but don't be fooled.

This bill represents a fundamental lack of understanding the purpose of the important federal role in education. The federal role is not at all what the proponents of the so called Academic Achievement for All Act would have you believe.

The federal role is not to dictate specific standards or some sinister plot to take over our local schools. The U.S. Department of Education doesn't want control over our local schools as some members would have you believe.

The federal role in education is to meet needs and build capacity in areas that are not met by state and local funding. Their role is an important one to recognize these areas of unmet needs from their unique national perspective. The Department is able to take a small investment and target it effectively to these areas of need where the funds can truly make a difference.

Proponents of the Academic Achievement for All Act would eviscerate states and localities from their responsibility to target funds to our most needy young students; and they plan to do this without meaningful accountability measures.

The Academic Achievement for All Act is a misguided attempt to hand virtually all funding for federal education programs over to the states to decide how to spend this money.

Historically, I am sorry to say, states and localities have often not stepped up to the plate in their responsibility to address funding disparities for schools in disadvantaged communities.

In short, this legislation is a thinly veiled step in the Republican party's assault on our public education system. I urge my colleagues to support all children's rights to quality public education regardless of their economic means by opposing this very bad bill.

Mr. PACKARD. Mr. Chairman, I would like to encourage my colleagues to support H.R. 2300, the Academic Achievement for All Act (Straight A's). I believe that the era of one-size-fits-all federal education regulations is a relic of the past. Across America we see success stories in schools that have been empowered to make their own decisions without federal interference. Educating children does not work with a ''one-size-fits-all'' approach. Teachers in local classrooms understand children better than anyone in Washington.

Straight A's would allow schools to spend federal education dollars on the things that will most improve America's education programs, rather than leaving these decisions up to a Washington bureaucrats. With this legislation schools can establish accountability, hire new teachers, and provide better facilities—all under local control.

Mr. Chairman, I support accountability and local control in education. Let's give parents and educators more control over our children's future. I urge my colleagues to support the Academic Achievement for All Act.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill, modified by the amendments printed in part A of House Report 106–408, is considered as an original bill for the purpose of amendment, and is considered read.

The text of the committee amendment in the nature of a substitute, as modified, is as follows:

H.R. 2300

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Academic Achievement for All Act (Straight A's Act)''.

SEC. 2. PURPOSE.

The purpose of this Act is to create options for States and communities—

(1) to improve the academic achievement of all students, and to focus the resources of the Federal Government upon such achievement;

(2) to improve teacher quality and subject matter mastery, especially in math, reading, and science;

(3) to empower parents and schools to effectively address the needs of their children and students;

(4) to give States and communities maximum freedom in determining how to boost academic achievement and implement education reforms;

(5) to eliminate Federal barriers to implementing effective State and local education programs;

(6) to hold States and communities accountable for boosting the academic achievement of all students, especially disadvantaged children; and

(7) to narrow achievement gaps between the lowest and highest performing groups of students so that no child is left behind.

SEC. 3. PERFORMANCE AGREEMENT.

(a) PROGRAM AUTHORIZED.—Not more than 10 States may, at their option, execute a performance agreement with the Secretary under which the provisions of law described in section 4(a) shall not apply to such State except as otherwise provided in this Act.''.

(b) LOCAL INPUT.—States shall provide parents, teachers, and local schools and districts notice and opportunity to comment on any proposed performance agreement prior to submission to the Secretary as provided under general State law notice and comment provisions.

(c) APPROVAL OF PERFORMANCE AGREEMENT.—A performance agreement submitted to the Secretary under this section shall be considered as approved by the Secretary within 60 days after receipt of the performance agreement unless the Secretary provides a written determination to the State that the performance agreement fails to satisfy the requirements of this Act before the expiration of the 60-day period.

(d) TERMS OF PERFORMANCE AGREEMENT.—Each performance agreement executed pursuant to this Act shall include the following provisions:

(1) TERM.—A statement that the term of the performance agreement shall be 5 years.

(2) APPLICATION OF PROGRAM REQUIREMENTS.—A statement that no program requirements of any program included by the State in the performance agreement shall apply, except as otherwise provided in this Act.

(3) LIST.—A list provided by the State of the programs that it wishes to include in the performance agreement.

(4) USE OF FUNDS TO IMPROVE STUDENT ACHIEVEMENT.—A 5-year plan describing how the State intends to combine and use the funds from programs included in the performance agreement to advance the education priorities of the State, improve student achievement, and narrow achievement gaps between students.

(5) ACCOUNTABILITY REQUIREMENTS.—If a State includes any part of title I of the Elementary and Secondary Education Act of 1965 in its performance agreement, the State shall include a certification that the State has done the following:

(A)(i) developed and implemented the challenging State content standards, challenging State student performance standards, and aligned assessments described in section 1111(b) of the Elementary and Secondary Education Act of 1965; or

(ii) developed and implemented a system to measure the degree of change from one school year to the next in student performance;

(B) developed and is implementing a statewide accountability system that has been or is reasonably expected to be effective in substantially increasing the numbers and percentages of all students who meet the State's proficient and advanced levels of performance;

(C) established a system under which assessment information may be disaggregated within each State, local educational agency, and school by each major racial and ethnic group, gender, English proficiency status, migrant status, and by economically disadvantaged students as compared to students who are not economically disadvantaged (except that such disaggregation shall not be required in cases in which the number of students in any such group is insufficient to yield statistically reliable information or would reveal the identity of an individual student);

(D) established specific, measurable, numerical performance objectives for student achievement, including a definition of performance considered to be proficient by the State on the academic assessment instruments described under subparagraph (A);

(E) developed and implemented a statewide system for holding its local educational agencies and schools accountable for student performance that includes—

(i) a procedure for identifying local educational agencies and schools in need of improvement, using the assessments described under subparagraph (A);

(ii) assisting and building capacity in local educational agencies and schools identified as in need of improvement to improve teaching and learning; and

(iii) implementing corrective actions after no more than 3 years if the assistance and capacity building under clause (ii) is not effective.

(6) PERFORMANCE GOALS.—

(A) STUDENT ACADEMIC ACHIEVEMENT.—Each State shall establish annual student performance goals for the 5-year term of the performance agreement that, at a minimum—

(i) establish a single high standard of performance for all students;

(ii) take into account the progress of students from every local educational agency and school in the State;

(iii) are based primarily on the State's challenging content and student performance standards and assessments described under paragraph (5)(A);

(iv) include specific annual improvement goals in each subject and grade included in the State assessment system, which must include, at a minimum, reading or language arts and math;

(v) compares the proportions of students at the ''basic'', ''proficient'', and ''advanced'' levels of performance (as defined by the State) with the proportions of students at each of the 3 levels in the same grade in the previous school year;

(vi) includes annual numerical goals for improving the performance of each group specified in paragraph (5)(C) and narrowing gaps in performance between the highest and lowest performing students in accordance with section 10(b); and

(vii) requires all students in the State to make substantial gains in achievement.

(B) ADDITIONAL INDICATORS OF PERFORMANCE.—A State may identify in the performance agreement any additional indicators of performance such as graduation, dropout, or attendance rates.

(C) CONSISTENCY OF PERFORMANCE MEASURES.—A State shall maintain, at a minimum, the same level of challenging State student performance standards and assessments throughout the term of the performance agreement.

(7) FISCAL RESPONSIBILITIES.—An assurance that the State will use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, Federal funds paid to the State under this Act.

(8) CIVIL RIGHTS.—An assurance that the State will meet the requirements of applicable Federal civil rights laws.

(9) PRIVATE SCHOOL PARTICIPATION.—

(A) EQUITABLE PARTICIPATION.—An assurance that the State will provide for the equitable participation of students and professional staff in private schools.

(B) APPLICATION OF BYPASS.—An assurance that sections 14504, 14505, and 14506 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8894, 8895, and 8896) shall apply to all services and assistance provided under this Act in the same manner as they apply to services and assistance provided in accordance with section 14503 of such Act.

(10) STATE FINANCIAL PARTICIPATION.—An assurance that the State will not reduce the level of spending of State funds for elementary and secondary education during the term of the performance agreement.

(11) ANNUAL REPORT.—An assurance that not later than 1 year after the execution of the performance agreement, and annually thereafter, each State shall disseminate widely to parents and the general public, submit to the Secretary, distribute to print and broadcast media, and post on the Internet, a report that includes—

(A) student academic performance data, disaggregated as provided in paragraph (5)(C); and

(B) a detailed description of how the State has used Federal funds to improve student academic performance and reduce achievement gaps to meet the terms of the performance agreement.

(e) SPECIAL RULE.—If a State does not include any part of title I of the Elementary and Secondary Education Act of 1965 in its performance agreement, the State shall—

(1) certify that it has developed a system to measure the academic performance of all students; and

(2) establish challenging academic performance goals for such other programs using academic assessment data described in paragraph (5).

(f) AMENDMENT TO PERFORMANCE AGREEMENT.—A State may submit an amendment to the performance agreement to the Secretary under the following circumstances:

(1) REDUCE SCOPE OF PERFORMANCE AGREEMENT.—Not later than 1 year after the execution of the performance agreement, a State may amend the performance agreement through a request to withdraw a program from such agreement. If the Secretary approves the amendment, the requirements of existing law shall apply for any program withdrawn from the performance agreement.

(2) EXPAND SCOPE OF PERFORMANCE AGREEMENT.—Not later than 1 year after the execution of the performance agreement, a State may amend its performance agreement to include additional programs and performance indicators for which it will be held accountable.

(3) APPROVAL OF AMENDMENT.—An amendment submitted to the Secretary under this subsection shall be considered as approved by the Secretary within 60 days after receipt of the amendment unless the Secretary provides a written determination to the State that the performance agreement if amended by the amendment would fail to satisfy the requirements of this Act, before the expiration of the 60-day period.

SEC. 4. ELIGIBLE PROGRAMS.

(a) ELIGIBLE PROGRAMS.—The provisions of law referred to in section 3(a) except as otherwise provided in subsection (b), are as follows:

(1) Part A of title I of the Elementary and Secondary Education Act of 1965.

(2) Part B of title I of the Elementary and Secondary Education Act of 1965.

(3) Part C of title I of the Elementary and Secondary Education Act of 1965.

(4) Part D of title I of the Elementary and Secondary Education Act of 1965.

(5) Part B of title II of the Elementary and Secondary Education Act of 1965.

(6) Section 3132 of title III of the Elementary and Secondary Education Act of 1965.

(7) Title IV of the Elementary and Secondary Education Act of 1965.

(8) Title VI of the Elementary and Secondary Education Act of 1965.

(9) Section 307 of the Department of Education Appropriation Act of 1999.

(10) Comprehensive school reform programs as authorized under section 1502 of the Elementary and Secondary Education Act of 1965 and described on pages 96–99 of the Joint Explanatory Statement of the Committee of Conference included in House Report 105–390 (Conference Report on the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1998).

(11) Part C of title VII of the Elementary and Secondary Education Act of 1965.

(12) Title III of the Goals 2000: Educate America Act.

(13) Sections 115 and 116, and parts B and C of title I of the Carl D. Perkins Vocational Technical Education Act.

(14) Subtitle B of title VII of the Stewart B. McKinney Homeless Assistance Act.

(b) ALLOCATIONS TO STATES.—A State may choose to consolidate funds from any or all of the programs described in subsection (a) without regard to the program requirements of the provisions referred to in such subsection, except that the proportion of funds made available for national programs and allocations to each State for State and local use, under such provisions, shall remain in effect unless otherwise provided.

(c) USES OF FUNDS.—Funds made available under this Act to a State shall be used for any elementary and secondary educational purposes permitted by State law of the participating State.

SEC. 5. WITHIN-STATE DISTRIBUTION OF FUNDS.

(a) IN GENERAL.—The distribution of funds from programs included in a performance agreement from a State to a local educational agency within the State shall be determined by the Governor of the State and the State legislature. In a State in which the constitution or State law designates another individual, entity, or agency to be responsible for education, the allocation of funds from programs included in the performance agreement from a State to a local educational agency within the State shall be determined by that individual, entity, or agency, in consultation with the Governor and State Legislature. Nothing in this section shall be construed to supersede or modify any provision of a State constitution or State law.

(b) LOCAL INPUT.—States shall provide parents, teachers, and local schools and districts notice and opportunity to comment on the proposed allocation of funds as provided under general State law notice and comment provisions.

(c) LOCAL HOLD HARMLESS OF PART A TITLE 1 FUNDS.—

(1) IN GENERAL.—In the case of a State that includes part A of title I of the Elementary and Secondary Education Act of 1965 in the performance agreement, the agreement shall provide an assurance that each local educational agency shall receive under the performance agreement an amount equal to or greater than the amount such agency received under part A of title I of such Act in the fiscal year preceding the fiscal year in which the performance agreement is executed.

(2) PROPORTIONATE REDUCTION.—If the amount made available to the State from the Secretary for a fiscal year is insufficient to pay to each local educational agency the amount made available under part A of title I of the Elementary and Secondary Education Act of 1965 to such agency for the preceding fiscal year, the State shall reduce the amount each local educational agency receives by a uniform percentage.

SEC. 6. LOCAL PARTICIPATION.

(a) NONPARTICIPATING STATE.—

(1) IN GENERAL.—If a State chooses not to submit a performance agreement under this Act, any local educational agency in such State is eligible, at its option, to submit to the Secretary a performance agreement in accordance with this section.

(2) AGREEMENT.—The terms of a performance agreement between an eligible local educational agency and the Secretary shall specify the programs to be included in the performance agreement, as agreed upon by the State and the agency, from the list under section 4(a).

(b) STATE APPROVAL.—When submitting a performance agreement to the Secretary, an eligible local educational agency described in subsection (a) shall provide written documentation from the State in which such agency is located that it has no objection to the agency's proposal for a performance agreement.

(c) APPLICATION.—

(1) IN GENERAL.—Except as provided in this section, and to the extent applicable, the requirements of this Act shall apply to an eligible local educational agency that submits a performance agreement in the same manner as the requirements apply to a State.

(2) EXCEPTIONS.—The following provisions shall not apply to an eligible local educational agency:

(A) WITHIN STATE DISTRIBUTION FORMULA NOT APPLICABLE.—The formula for the allocation of funds under section 5 shall not apply.

(B) STATE SET ASIDE SHALL NOT APPLY.—The State set aside for administrative funds in section 7 shall not apply.

SEC. 7. LIMITATIONS ON STATE AND LOCAL EDUCATIONAL AGENCY ADMINISTRATIVE EXPENDITURES.

(a) IN GENERAL.—Except as otherwise provided under subsection (b), a State that includes part A of title I of the Elementary and Secondary Education Act of 1965 in the performance agreement may use not more than 1 percent of such total amount of funds allocated to such State under the programs included in the performance agreement for administrative purposes.

(b) EXCEPTION.—A State that does not include part A of title I of the Elementary and Secondary Education Act of 1965 in the performance agreement may use not more than 3 percent of the total amount of funds allocated to such State under the programs included in the performance agreement for administrative purposes.

(c) LOCAL EDUCATIONAL AGENCY.—A local educational agency participating in this Act under a performance agreement under section 6 may not use for administrative purposes more than 4 percent of the total amount of funds allocated to such agency under the programs included in the performance agreement.

SEC. 8. PERFORMANCE REVIEW.

(a) MID-TERM PERFORMANCE REVIEW.—If, during the 5 year term of the performance agreement, student achievement significantly declines for 3 consecutive years in the academic performance categories established in the performance agreement, the Secretary may, after notice and opportunity for a hearing, terminate the agreement

(b) FAILURE TO MEET TERMS.—If at the end of the 5-year term of the performance agreement a State has not substantially met the performance goals submitted in the performance agreement, the Secretary shall, after notice and an opportunity for a hearing, terminate the performance agreement and the State shall be required to comply with the program requirements, in effect at the time of termination, for each program included in the performance agreement.

(c) PENALTY FOR FAILURE TO IMPROVE STUDENT PERFORMANCE.—If a State has made no progress toward achieving its performance goals by the end of the term of the agreement, the Secretary may reduce funds for State administrative costs for each program included in the performance agreement by up to 50 percent for each year of the 2-year period following the end of the term of the performance agreement.

SEC. 9. RENEWAL OF PERFORMANCE AGREEMENT.

(a) NOTIFICATION.—A State that wishes to renew its performance agreement shall notify the Secretary of its renewal request not less than 6 months prior to the end of the term of the performance agreement.

(b) RENEWAL REQUIREMENTS.—A State that has met or has substantially met its performance goals submitted in the performance agreement at the end of the 5-year term may reapply to the Secretary to renew its performance agreement for an additional 5-year period. Upon the completion of the 5-year term of the performance agreement or as soon thereafter as the State submits data required under the agreement, the Secretary shall renew, for an additional 5-year term, the performance agreement of any State that has met or has substantially met its performance goals.

SEC. 10. ACHIEVEMENT GAP REDUCTION REWARDS.

(a) CLOSING THE GAP REWARD FUND.—

(1) IN GENERAL.—To reward States that make significant progress in eliminating achievement gaps by raising the achievement levels of the lowest performing students, the Secretary shall set aside sufficient funds from the Fund for the Improvement of Education under part A of title X of the Elementary and Secondary Education Act of 1965 to grant a reward to States that meet the conditions set forth in subsection (b) by the end of their 5-year performance agreement.

(2) REWARD AMOUNT.—The amount of the reward referred to in paragraph (1) shall be not less than 5 percent of funds allocated to the State during the first year of the performance agreement for programs included in the agreement.

(b) CONDITIONS OF PERFORMANCE REWARD.—Subject to paragraph (3), a State is eligible to receive a reward under this section as follows:

(1) A State is eligible for such an award if the State reduces by not less than 25 percent, over the 5-year term of the performance agreement, the difference between the percentage of highest and lowest performing groups of students that meet the State's definition of ''proficient'' as referenced in section 1111(b)(1)(D)(i)(II) of the Elementary and Secondary Education Act of 1965.

(2) A State is eligible for such an award if a State increases the proportion of 2 or more groups of students under section 3(d)(5)(C) that meet State proficiency standards by 25 percent.

(3) A State shall receive such an award if the following requirements are met:

(A) CONTENT AREAS.—The reduction in the achievement gap or approvement in achievement shall include not less than 2 content areas, one of which shall be mathematics or reading.

(B) GRADES TESTED.—The reduction in the achievement gap or improvement in achievement shall occur in at least 2 grade levels.

(c) RULE OF CONSTRUCTION.—Student achievement gaps shall not be considered to have been reduced in circumstances where the average academic performance of the highest performing quintile of students has decreased.

SEC. 11. STRAIGHT A'S PERFORMANCE REPORT.

The Secretary shall make the annual State reports described in section 3 available to the House Committee on Education and the Workforce and the Senate Committee on Health, Education, Labor and Pensions not later than 60 days after the Secretary receives the report.

SEC. 12. APPLICABILITY OF TITLE XIV OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.

To the extent that provisions of title XIV of the Elementary and Secondary Education Act of 1965 are inconsistent with this Act, this Act shall be construed as superseding such provisions.

SEC. 13. APPLICABILITY OF GENERAL EDUCATION PROVISIONS ACT.

To the extent that the provisions of the General Education Provisions Act are inconsistent with this Act, this Act shall be construed as superseding such provisions, except where relating to civil rights, withholding of funds and enforcement authority, and family educational and privacy rights.

SEC. 14. APPLICABILITY TO HOME SCHOOLS.

Nothing in this Act shall be construed to affect home schools whether or not a home school is treated as a private school or home school under State law.

SEC. 15. GENERAL PROVISIONS REGARDING NON-RECIPIENT, NON-PUBLIC SCHOOLS.

Nothing in this Act shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law.

SEC. 16. DEFINITIONS.

For the purpose of this Act:

(1) ALL STUDENTS.—The term ''all students'' means all students attending public schools or charter schools that are participating in the State's accountability and assessment system.

(2) ALL SCHOOLS.—The term ''all schools'' means all schools that are participating in the State's accountability and assessment system.

(3) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the same meaning given such term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(5) STATE.—The term ''State'' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and American Samoa.

SEC. 17. EFFECTIVE DATE.

This Act shall take effect with respect to funds appropriated for the fiscal year beginning October 1, 2000.

The CHAIRMAN. No amendment to that amendment shall be in order except those printed in part B of that report. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered read, debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Chair understands that amendment No. 1 will not be offered.

It is now in order to consider amendment No. 2 printed in part B of House Report 106–408.

AMENDMENT NO. 2 OFFERED BY MR. FATTAH

Mr. FATTAH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. FATTAH:

Page 22, line 20, redesignate section 16 as section 17 and insert after line 9 the following:

SEC. 16. EDUCATIONAL EQUITY.

(a) EDUCATIONAL EQUITY.—Notstanding any other provision of this Act, beginning 3 years after the date of enactment of this Act no State shall receive Federal funds for its performance agreement under programs specified in section 4 unless the State certifies annually to the Secretary that—

(1) per pupil expenditure in the local educational agencies in the State are substantially equal, taking into consideration the variation in cost of serving pupils with special needs and the local variation in cost of providing education services; or

(2) the achievement levels of students on reading and mathematics assessments, graduation rates, and rates of college-bound students in the local educational are substantially equal to those of the local educational agencies with the highest per pupil expenditures.

(b) GUIDELINES.—The Secretary, in consultation with the National Academy of Sciences, shall develop and publish guidelines not later than one year after the date of enactment of this Act to define the terms ''substantially equal'' and ''per pupil expenditures.''

The CHAIRMAN. Pursuant to House Resolution 338, the gentleman from

Pennsylvania (Mr. FATTAH) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to offer an amendment that I will offer to every education bill that I have the opportunity to offer this amendment to, because I think that this is the fundamental issue that needs to be addressed in our country. If tomorrow the Federal Government did not put a penny into education or if we doubled our appropriations, we need State governments to provide an equal playing field for children in their States. There is no excuse in America today for us to be spending three times as much on one first grader in a public school 30 minutes away from a public school in which we are spending a third less.

We have that situation in my home State. We have it in 49 out of our 50 States. We have litigation going on in close to 40 States in our country, where literally almost a thousand school districts, mostly rural and urban districts, have been fighting in State courts, in some cases for decades, for relief. We have seen the Supreme Court of Ohio, we have seen action in the New Jersey court and in Kentucky, we have seen in Michigan courts rule these property tax-based school systems unconstitutional. We have seen the rulings in New Hampshire and in Vermont where they ruled them unconstitutional, where the Court has stepped in to say that children should be given a fair opportunity and that there is nothing so cosmically special about one child as another that we should be spending twice as much or three times as much on one kid's education than another.

I ask my colleagues to begin to consider a country in which we gave every young person an equal opportunity, where we eliminated this circumstance in which we have in many of our districts young people who are not given the books, nor the teachers, nor the technology. They are not offered the curriculum in order for them to achieve. Yet we come and we try to put a Band-Aid on it, either through Title I or through AAA. The 6 or 7 pennies out of every dollar that is spent by the Federal Government is never going to deal with the disparity that exists in our States, which ranges from a thousand dollars per pupil, to in many States $5,000 and $6,000; and in one of our States the disparity is $8,000 between what is being spent in the poorest school district per pupil and what is being spent in the wealthiest.

Now tonight, I am not sure that the votes will add up for this amendment that I offer, but I promise that this Congress will not be able to skirt this issue, because every single opportunity I am going to raise it. I think it is critical to the debate.

We talk class size. Well, class size is a function of money. If we are spending $70,000 more per classroom in a city district versus a suburban district, we can cut the class size in half in that city district.

We talk about school construction. Where are the school buildings falling apart? Are they falling apart in the districts where we are spending in some States, like in Texas, $20,000 per pupil, or are they falling apart in the State of Texas in the districts where we are spending $2,500 per pupil?

School construction, class size, technology in the classroom, all of these issues get back to the fundamental question, and that is, are States going to even the playing field?

Now, we can wait for State courts to act, and we can acknowledge even the action now that is starting to take hold in Federal court, when the State of Kansas, dozens of school districts got together in rural Kansas and filed a suit that the Justice Department or the Federal Government has just added its voice to as a party to that suit and said they are right; that the funding system in Kansas discriminates against poor children in rural Kansas.

Look at the situation in New York State where the disparity is a great one. We have now had the Justice Department add its voice to that suit. Or the Congress could act; not in forcing States to equalize their distribution of school aid but using as a carrot Federal aid to encourage States to move in that direction.

My amendment, simply put, states that States would have 3 years to move towards a substantially equal per-pupil expenditure. It would help rural districts. It would help urban districts. For the wealthiest districts in our States, I would say today it would help those districts because we cannot have a country where some of the children have everything in the world to look forward to and others have very little to look forward to. That is an explosive mix that, going into the next century, does not bode well.

We have books in the school libraries in Philadelphia, and this was played on ABC News Tonight and we should all be embarrassed because Philadelphia is the birthplace of this country of ours, that say that Gerald Ford is the last President of the United States. We have a book in one of our schools that says Nelson Mandela died in prison 15 years ago. We have books that do not represent any of the knowledge that is currently part of the educational system that we would want. We have a chemistry lab in Chicago in which there is no equipment at all, 30 minutes from a school that has everything we could ever want for our children.

We need to think about these disparities, think about giving young people a fair chance. If we want to give States more flexibility, if we think States have these rights, let us have States be more responsible. Let us have them take the dollars that they are now spending and give an equal playing field to the children that we represent and that they have a responsibility, a constitutional responsibility, to provide them an equitable education.

I want to thank the Chair. I want to thank the ranking member of my committee and the chairman of the full committee.

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

The CHAIRMAN. Does the gentleman from Pennsylvania (Mr. GOODLING) claim time in opposition?

Mr. GOODLING. Mr. Chairman, I do.

Mr. Chairman, I yield 4 minutes to the gentleman from Indiana (Mr. MCINTOSH).

Mr. MCINTOSH. Mr. Chairman, I thank the gentleman from Pennsylvania (Mr. GOODLING) for yielding me this time.

Mr. Chairman, I rise in opposition to this amendment, although let me say I am in a great deal of sympathy to the author's intent. There are some problems that I am sure he would never intend in States like mine where actually because we have equalized or tried to equalize the formula in a declining population in some of our inner cities it could inadvertently actually take funds away from them. I know he did not intend that.

Let me speak for a few minutes on the importance of this bill, because I am worried that by putting this amendment into it it would put too much freight into what we are trying to accomplish, and I think the underlying goals of this bill are so critical for making our education system the best it can possibly be in this Nation.

For 3 decades, the Federal Government has been sending money to the States through scores of Washington-based programs; but all the studies, the evaluations, the reports, show little or no academic benefit. Straight A's would reverse this unfortunate situation by focusing on the Federal Government's efforts on academic results instead of rules and regulations.

I want to share with my colleagues a letter that I received from a principal in Delta Middle School in Muncie, near Muncie, Indiana, from Patrick Mapes. ''The monies given to schools have such strict guidelines that it cannot be used where it is needed most. The poverty, diversity in a corporation like ours has students participating in different title programs at the elementary grades and then they are left with no support once they come to the middle school, because our corporation on whole would not qualify. The first Federal regulation that hinders schools is the amount of restrictions on how to spend monies that you are qualified to receive. We know our needs and need the flexibility to fund and address these needs.''

Patrick Mapes is a dedicated principal. He wants to do what is right and what is best for the children in his school. Straight A's will give the States the option to implement initiatives that work according to what they need, as well as help raise the academic

standards, improve teacher quality, reduce class size, end social promotion, and put technology in the classroom.

I visited a school in inner-city Indianapolis, School 109, that 3 years ago had only 12 percent of its students passing the Indiana standard test on math and English. This last year they had 77 percent of their children pass. They were an inner-city school, just below the 50 percent poverty-wide threshold.

I went in and I asked, what happened? They told me the principal had given the teachers the flexibility to do what they needed in their classroom. He started by giving them keys to the school so they could come in after hours and work, or on Saturdays and work.

I about fell out of my chair when they told me the previous principal had not given them a key and from 3:00 to 8:00 they were in the building, and then they were locked out and could not come in and prepare for their students.

Then the principal backed them up and told the teachers when they get into problems with the parents, he will be there with them.

The teachers decided they wanted to pool their extra money and instead of getting two teachers aides which would have helped two of them, they pooled it together and got one more teacher, effectively reducing their class size.

This is a microcosm of how flexibility could work, backed up by good administration, backed up by senior teachers who were frankly embarrassed when only 12 percent of their students knew math and English at the third grade level, and they got the job done.

They still have the same mix. They have a lot of minority students. They have poor students, but they were able to transform that school and serve those children.

So I think this bill is critical in letting all of our States, we are going to start with a test of 10 but eventually I hope all of our States, participate in this flexibility, the Straight A's program. As I said at the beginning, I am very, very sympathetic to the author's intent of this amendment, but I think it would put too much freight into the bill, and so I reluctantly would rise in opposition to it.

Mr. FATTAH. Mr. Chairman, I yield 1½ minutes to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, in my 1½ minutes, I will say this: that one of the problems of the inequities in education is the disparity among the teaching faculty in the various schools.

□ 2145

In California, over 30,000 teachers are not certified or are teaching out of their field. During field hearings that we had in North Carolina recently, I asked one of the educational officials of the State what percentage of teachers there in that State were not certified or were teaching out of their field. He replied, ''Too many, and most of them are concentrated in our poorest school districts.''

Mr. Chairman, our poorest school districts have the greatest concentration of bus stop teachers, ancient textbooks, and dilapidated buildings. As a matter of fact, I have been in school buildings where a Federal judge would not let us keep prisoners in that building. I know because we had to close down our jail in Flint, Michigan, because a Federal judge said it was unfit for human habitation. Yet, that jail is in much better shape than many of the school buildings that I have been in in our poor school districts.

We need some type of equalization. We have to try to address that and encourage the States to do that.

Mr. FATTAH. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. BARRETT).

Mr. BARRETT of Wisconsin. Mr. Chairman, I would like to praise the gentleman from Pennsylvania (Mr. FATTAH) for this amendment.

We have heard during the course of this argument today on this bill and other bills that we are throwing too much money at education, that it does not matter how much we spend per child, that there are other factors at play.

Well, this amendment really tests that theory. Because if it does not matter how much we spend on education, let us split it. Let us split it evenly. Then we do not have to argue who is getting too much.

What we hear time and time again is people sort of patting us on the shoulder, saying it does not matter how much one spends per child, there are other factors at play. But if we look at their school district, they are spending more money per child on their kids. If it does not matter how much one spends per student, then there should be no argument against equalizing the spending. The argument against equalization comes invariably from people who come from districts where they spend more on their children for learning.

Every child in this country is worth the same. Every child in this country should have the same level of education. I think the amendment of the gentleman from Pennsylvania (Mr. FATTAH) goes in that direction. It is a good amendment. It should be adopted by the House.

Mr. FATTAH. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Pennsylvania (Mr. FATTAH) has 1 minute remaining.

Mr. FATTAH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me try to conclude by saying that the public may have the impression that this is kind of like the golden arches at McDonald's where, all across the country, public schools are the same and the same inputs; and, therefore, any time there is a disparity of outputs, it has something to do with the individual children involved or their families or their community when, in reality, what we have is a system in which, in the poorest districts, in the most disadvantaged circumstances, in urban and rural America, the State governments, with the flexibility that they have, have decided that the poorest kids need to get the least amount of resources. Time after time, in 49 States, that is the story, not just in Democratic districts, but in Republican districts.

In Pennsylvania, 216 rural school districts filed suit years ago challenging our funding system. We have seen these suits in Kentucky and all across the land.

I am suggesting that the Congress use the carrot of Federal dollars to insist that States create a more equal playing field. I hope that my colleagues would support this amendment. I will guarantee to my colleagues this amendment will be before us again.

Mr. GOODLING. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, first of all, I want to say that, in the State of Pennsylvania, we have the best equalization formula for the basic education grants that any State has had, and we have had it for years and years and years. Where the litigation is, and I agree with the gentleman from Pennsylvania (Mr. FATTAH) it should be, is in the special programs where their equalization is not proper, and that is where it is.

But I also want the City of Brotherly Love to step up to the plate. I hate to use that term after, I am assuming, that all of those people at that football game were from Maryland and from New Jersey and from Delaware who are clapping and cheering when someone is lying on the ground who may never ever walk again. So I am assuming they were not from Pennsylvania and certainly not from the City of Brotherly Love. But we do have the best equalization formula when it comes to basic grants.

But let me tell my colleagues some other things that are a problem. When I began teaching, that equalization formula said that the poor district that I taught in got 70 percent of all of their funds from the State. The next district where I was principal, they got 30 percent because they were a much more affluent district. Then when I went to the next school district, which is poorer, they got about 50 percent. So the equalization formula works out fine for the basic grant.

But look at the amendment. This really causes me all sorts of problems. It goes just the opposite direction of flexibility. It holds States hostage to have equal funding across all school districts or have equal test scores across all school districts.

Now, the gentleman from Pennsylvania (Mr. FATTAH) knows I do not care whether Upper Saint Claire has $9,000 per student or $5,000 per student. There are not many districts in my school district that are going to compete with Upper Saint Claire. Every parent has a

master's degree or a Ph.D. I am not that fortunate, and so it would not matter what I did. I am not going to be able to compete, I will guarantee my colleagues, with Upper Saint Claire.

But what the amendment does, it says it is okay to dumb down. The amendment says, under this amendment, one could potentially reward States that have all their school districts performing at a low level just as long as they are even. A low level. It is fine.

Well, certainly we do not want that. In fact, in Title I, we kept stressing over and over and over and over again we want every child to achieve way beyond what they are presently achieving and particularly the low-income children and the disadvantaged educationally.

So I would hope that all of our people in the Congress of the United States would understand that we cannot set an equalization formula from Washington, D.C.

I was a little worried. I heard someone say that they have some sympathy for it. Then I realized that one could be governor of a State sometime and one could have some sympathy and, all of a sudden, discover, hey, one cannot meet that equalization formula that we have set in Washington, D.C.

But under this amendment, as I said, one could potentially reward dumb downing, because all one has to do is make sure that they are performing at the same level. Now, no one says what that level is. That level could be the lowest level possible.

We want every student to achieve more. They can do more. We do not demand enough. We should insist that they do it. But let us not get into the business of trying to set an equalization formula from Washington, D.C. It cannot work. It should not work.

Therefore, I would hope that everyone would vote against the amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. FATTAH).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. FATTAH. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 183, noes 235, not voting 15, as follows:

[Roll No. 530]

AYES—183

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
John
Johnson, E.B.
Jones (OH)
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (NY)
Martinez
Matsui
McDermott
McGovern
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Slaughter
Smith (WA)
Stabenow
Stark
Stenholm
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOES—235

Aderholt
Archer
Armey
Bachus
Baird
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (FL)
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kaptur
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Maloney (CT)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Myrick
Nethercutt
Northup
Norwood
Nussle
Oberstar
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Spratt
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Toomey
Turner
Upton
Vento
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)

NOT VOTING—15

Brady (TX)
Camp
Hall (OH)
Jackson-Lee (TX)
Jefferson
Lipinski
Markey
Mascara
McCarthy (MO)
McCarthy (NY)
Meehan
Scarborough
Shuster
Weldon (PA)
Young (FL)

□ 2214

Messrs. GREENWOOD, MOORE, MCHUGH, QUINN, BEREUTER, SPRATT and Mrs. THURMAN changed their vote from ''aye'' to ''no.''

Mr. CLEMENT changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BRADY of Texas. Mr. Chairman, on roll-call No. 530, I was unavoidably detained. Had I been present, I would have voted ''no.''

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. PEASE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2300) to allow a State to combine certain funds to improve the academic achievement of all its students, pursuant to House Resolution 338, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

□ 2215

The SPEAKER pro tempore (Mr. LAHOOD). Under the rule, the previous question is ordered.

The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. CLAY

Mr. CLAY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CLAY. I am, Mr. Speaker, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CLAY moves to recommit the bill H.R. 2300 to the Committee on Education and the Workforce with instructions to promptly report the bill to the House, in a manner that addresses the need to help communities to reduce class size, to modernize our Nation's crumbling and overcrowded public schools, and to ensure that the teachers are highly qualified.

The SPEAKER pro tempore. The gentleman from Missouri (Mr. CLAY) is recognized for 5 minutes in support of his motion to recommit.

Mr. CLAY. Mr. Speaker, this motion asks that we recommit this bill for the purpose of addressing the real education priorities of parents, of teachers, and of local communities. It calls for the House to scrap this ill-conceived and this misguided bill and pass legislation to reduce class sizes in the early grades, to repair crumbling and overcrowded schools, and to ensure all teachers are fully qualified.

Rather than gutting the hard work we accomplished today by passing increased accountability and targeting of funds to poor schools, we can build on H.R. 2 by addressing the priorities in this motion. Reducing class size is one of the most important investments we can make to improve student achievement.

Last year we made a down payment to hire 100,000 new teachers by passing the Clinton/Clay Class Size Reduction Act. Too many of our schools have 30 or more children pressed desk-to-desk in classrooms. This is unacceptable. We all know and studies confirm that children learn better in small early classes.

Today, over one-third of our public schools are dilapidated and in need of replacement or major modernization. For years Democrats have been demanding action on this urgent education priority, but the majority continues to block action.

It is a national shame, Mr. Speaker, that one of the most hallowed institutions in our Nation, the public schoolhouse, has been allowed to fall into such disrepair. We think our children deserve the right to attend schools in a safe, well-maintained building that is capable of using modern educational technology.

The Rangel school modernization bill helps communities address this urgent priority by allowing the issuance of interest-free bonds. We should act now to pass the Rangel school construction bill.

Mr. Speaker, I urge Members to support this motion to recommit.

Mr. GOODLING. Mr. Speaker, I rise in opposition to the motion to recommit offered by the gentleman from Missouri (Mr. CLAY).

Mr. Speaker, I would encourage everyone to read the bill. They do not have to send the bill back to committee because what the bill does is everything the gentleman asks us to do.

The bill says, as long as they can raise academic achievement, they can improve teacher quality, they can reduce class size, they can end social promotion, they can put technology in the classroom. Everything they are talking about the bill does. So it does not do any good to send it back to committee to do what we have already done in the bill.

What we are saying here is that every child deserves an opportunity to have a quality education.

I am proud that my side of the aisle has put an additional $340 million in education. I am proud that my side of the aisle has increased funding for special education, something we have tried to do for years so that we can relieve the pressure on local school districts so that they can modernize, so that they can reduce class size and do all of those things.

But all that we have to do in this bill is show that we can raise academic achievement for all children and we can do everything the gentleman wants us to do in this motion to recommit to send back to the committee.

So I encourage everybody to vote against the motion to recommit. We are doing exactly what he want us to do.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. CLAY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 201, noes 217, not voting 16, as follows:

[Roll No. 531]

AYES—201

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
John
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McDermott
McGovern
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOES—217

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle

Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)

NOT VOTING—16

Camp
Cannon
Hall (OH)
Istook
Jackson-Lee (TX)
Jefferson
Lipinski
Mascara
McCarthy (MO)
McCarthy (NY)
Meehan
Minge
Scarborough
Shuster
Weldon (PA)
Young (FL)

□ 2238

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. MINGE. Mr. Speaker, on Rollcall 531 I was in the Chamber with my voting card in the machine before the vote was called. I intended to vote ''no.''

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CLAY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 213, noes 208, not voting 13, as follows:

[Roll No. 532]

AYES—213

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)

NOES—208

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gilman
Gonzalez
Gordon
Green (TX)
Gutierrez
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
John
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Quinn
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—13

Camp
Hall (OH)
Jackson-Lee (TX)
Jefferson
Lipinski
Mascara
McCarthy (MO)
McCarthy (NY)
Meehan
Scarborough
Shuster
Weldon (PA)
Young (FL)

□ 2256

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. MCCARTHY of Missouri. Mr. Speaker, during rollcall vote Nos. 520—Journal vote; 521—Armey Amendment; 522—Payne Amendment; 523—Roemer Amendment; 524—Petri Amendment; 525—Ehlers Amendment; 526—H.R. 2; 527—on the previous question; 528—Interior Conf. Rept.; 529—Rule H.R. 2300; 530—Fattah Amendment; 531—Recommit; 532—H.R. 2300 passage, I was unavoidably detained. Had I been present, I would have voted 520—''yes''; 521—''no''; 522—''yes''; 523—''yes''; 524—''no''; 525—''yes''; 526—''yes''; 527—''no''; 528—''no''; 529—''no''; 530—''yes''; 531—''yes''; 532—''no''.

LEGISLATIVE PROGRAM

(Mr. OBEY asked and was given permission to address the House for 1 minute.)

Mr. OBEY. Mr. Speaker, I asked for 1 minute to inquire about next week's schedule.

Mr. ARMEY. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the distinguished majority leader.

Mr. ARMEY. Mr. Speaker, I would like to announce that the previous vote on final passage of the Straight A's bill was our last vote for the week. We are continuing to meet on appropriations bills, but I do not expect that they will be ready for a vote by tomorrow. The House will, therefore, meet next Monday, October 25, at 12:30 p.m. for morning hour and 2 o'clock p.m. for legislative business. We will consider a number of bills under suspension of the rules, a list of which will be distributed to Members' offices tomorrow. On Monday we do not expect recorded votes until 6 o'clock p.m. On Tuesday, October 26, and the balance of the week the House will take up the following measures, all of which will be subject to rules:

H.R. 2260, the Pain Relief Promotion Act of 1999, H.R. 1987, the Fair Access to Indemnity and Reimbursement Act, and H.R. 3081, the Wage and Employment Growth Act.

Mr. Speaker, we have completed our work on 12 of the 13 appropriations bills. We expect to complete the Labor-HHS appropriations bill and consider the D.C. appropriations conference report sometime early next week.

Mr. Speaker, I wish all of my colleagues safe travel home tonight, and I thank the gentleman for yielding.

Mr. OBEY. Mr. Speaker, if I could ask the gentleman two additional questions. First of all, could the gentleman tell me whether or not he expects to take up the minimum wage bill next week.

Mr. ARMEY. I thank the gentleman for asking, Mr. Speaker.

Mr. Speaker, we do have that scheduled, but I must say it is tentatively scheduled. There have been a great many people working on that. We believe their work is coming together; and should it do so, we should expect to have it on the floor next week.

I would just say that my best predilection is that it will be there next week.

Mr. OBEY. Mr. Speaker, I thank the gentleman.

Could the gentleman also answer another question.

Which day does the gentleman expect the Labor Health conference report, which has never been voted on in the House, to be before the House for consideration?

Mr. ARMEY. I thank the gentleman for the inquiry, Mr. Speaker; and I do appreciate the gentleman's inquiry.

Mr. Speaker, of course, as we all know, we had a very good meeting at the White House the other night. We all agreed to try to complete this work as quickly as possible. The gentleman from Wisconsin (Mr. OBEY) certainly knows the Labor-HHS appropriations bill is one of the more difficult ones. They are continuing work on that; and as that progress continues, we will be able to give a more complete report.

I can only say that it is my expectation at this time on the basis of progress we see that it should be fairly early in the week next week.

Mr. OBEY. Mr. Speaker, if I could ask the gentleman further, and let me explain first why I ask the question.

We have been told for most of the evening that it was the expectation, and in fact I was told by the Chairman of the Committee on Rules earlier this evening that it was his expectation that the Committee on Rules would be filing tonight the District of Columbia new conference report to which they expected to see attached the Labor, Health, Education appropriation bill and that they expected to bring that up tonight. It is now not going to be up tonight.

The problem is that we are supposed to have negotiations tomorrow or at least preliminary discussions on a number of the outstanding bills that we still have to pass.

□ 2300

It is very difficult to discuss a bill that we do not know the contents of, and without going on any further on that, I would simply ask the gentleman, can the gentleman give us some idea of how much time we will have to examine that bill after it is filed so that everyone on both sides of the aisle is familiar with what they are voting on, since the House has never seen this legislation.

Mr. ARMEY. Mr. Speaker, I again thank the gentleman for his inquiry, and I appreciate the gentleman's reminder. Mr. Speaker, if the gentleman will continue to yield.

Mr. OBEY. Surely.

Mr. ARMEY. Mr. Speaker, I think it is appropriate that we advise the Committee on Rules that they will not have that meeting that the gentleman referred to tonight. The work is still in progress. The gentleman's schedule, as the ranking Democrat on the Committee on Appropriations I am sure will be communicated to him by the Chairman as the committee continues its work, and I expect that there will be work that will proceed tomorrow. I just have to tell the gentleman, frankly, I just do not know the committee's schedule. I wish I could tell the gentleman more.

Mr. OBEY. Mr. Speaker, let me simply urge the gentleman, those of us on the Committee on Appropriations, such as the gentleman from Florida (Mr. YOUNG) and myself, we will probably have at least a few minutes to review the bill before it is before us. But for the average Member who is not on the committee, I do not want them on either side of the aisle to be in a position where they do not know what the contents of that bill are, since it is the most important domestic appropriation bill that we will handle this year. So I would urge that there be enough time for your folks and ours to be able to review the contents before it is put to a vote.

Mr. ARMEY. Again, Mr. Speaker, if the gentleman will yield, let me say that I do again appreciate the point the gentleman has made. The point is made well, and I think the point is an important point. We certainly want to do exactly what the gentleman does, and that is to give everybody as much opportunity as we can to review the legislation. I am confident in my mind that the gentleman from Wisconsin will attend to that, and I will do my best to attend to it, and I expect that if the gentleman from Wisconsin is not satisfied that we have done the very best possible, he will let me know about it.

Mr. OBEY. Mr. Speaker, reclaiming my time, that is probably true, I would say. I guess I have no further questions. I would simply observe that I am sorry, but I do not wish the Dallas Cowboys well this weekend.

Mr. ARMEY. Mr. Speaker, if the gentleman would yield for one last retort, we in Dallas, of course, have nothing but the highest regard for the Green Bay Packers, and we hope them the best of luck this weekend.

ADJOURNMENT TO MONDAY, OCTOBER 25, 1999

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Texas?

There was no objection.

DECLARING DALLAS COWBOYS AMERICA'S TEAM

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that this body declare the Dallas Cowboys America's team.

Mr. GOODLING. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

GENERAL LEAVE

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on and include extraneous material on H.R. 2300.

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

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2300, ACADEMIC ACHIEVEMENT FOR ALL STUDENTS ACT

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 2300, the Clerk be authorized to make technical corrections and conforming changes to the bill.

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

There was no objection.

PERSONAL EXPLANATION

Mr. ISAKSON. Mr. Speaker, due to attendance at a funeral in Atlanta this morning I missed two rollcall votes, rollcall No. 520 and 522. Had I been in attendance I would have voted ''yes'' on rollcall 520 and ''yes'' on rollcall 521.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. TANCREDO). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

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

U.S.-ARMENIA ECONOMIC RELATIONS

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

Mr. PALLONE. Mr. Speaker, I rise this evening to discuss some of the recent developments in the relationship between the United States and the Republic of Armenia in the economic sphere.

Mr. Speaker, the people of Armenia and their elected leaders recognize the importance of making the transition from direct aid from the United States and other donor countries to greater self-sufficiency and economic integration with their neighbors. Of course, for the latter to occur, the neighboring countries, including Turkey and Azerbaijan, have to move away from their policy of hostility, nonrecognition and blockades of Armenia. Indeed, Mr. Speaker, U.S. policy should be geared towards encouraging Turkey and Azerbaijan to enter into regional cooperative agreements with Armenia. The U.S. can also help Armenia achieve greater economic success by promoting greater bilateral trade and investments between our two countries.

Mr. Speaker, I was recently joined by four of my colleagues with whom I took part in the congressional delegation to Armenia last August in seeking support for a Commerce Department trade mission to Armenia. We are currently circulating a letter amongst our colleagues in the House urging Commerce Secretary William Daley to undertake the trade mission. During our bipartisan congressional delegation to Armenia which also included stops in Nagorno Karabagh and Azerbaijan, we had the opportunity to meet with American investors who are seeking to expand U.S.-Armenia trade and investment ties. We also saw firsthand the efforts that Armenia is making to privatize its economy.

The effort to promote investment and privatization in Armenia received a major boost earlier this month when the Overseas Private Investment Corporation, OPIC, approved an $18 million investment projection in Yerevan, Armenia's capital. The OPIC loan was made to investors from Massachusetts, California and Florida, who won a competitive bid for privatization of the Armenia hotel complex in Yerevan. The twin goals are both to promote positive local development effects in Armenia and to create U.S. exports and jobs.

In announcing the agreement which coincided with Armenia's Prime Minister Vazgen Sargsian's successful visit to Washington. OPIC President and CEO George Munoz noted that Armenia has established a market-oriented economy with liberal trade legislation. Mr. Speaker, projects like this which benefit both the U.S. and the host country are what OPIC was designed for.

Mr. Speaker, I also want to emphasize my strong support for the extension of Normal Trade Relations, NTR, between the United States and Armenia. Since NTR was first extended to Armenia effective April 7, 1992, it has continued in effect under annual presidential waivers based on the determination that the country is in compliance with the Jackson-Vanik law. Jackson-Vanik was adopted in 1974 as a means of getting the Soviet Union to comply with freedom of immigration criteria. Although Armenia is obviously an independent State now because it was formally under Soviet domination, it came under Jackson-Vanik and Jackson-Vanik still applies.

In 1997, the President determined that Armenia was in full compliance with Jackson-Vanik, removing the need for future waivers, although the trade status remains subject to the terms of the Jackson-Vanik amendment which must be certified by the President. This extension of NTR can also be subject to congressional approval.

Mr. Speaker, the administration has advised the Committee on Ways and Means that Armenia is among those countries, along with Georgia and Moldova, that may accede to the World Trade Organization in the future. To enhance trade and investment between Armenia and the United States, the extension of unconditional Normal Trade Relations between the two countries may require legislation stating that Jackson-Vanik should no longer apply to these countries.

Mr. Speaker, American investors representing a wide range of industries and services have begun establishing a relationship with counterparts in Armenia. Armenia has adopted or is in the process of developing laws to facilitate international investment and foreign ownership, as well as the legal and financial institutions to foster these types of relationships. The Armenian government has unveiled plans to further promote investment via the creation of the Armenian development agency, ADA.

□ 2310

The main mission of the ADA is to provide one-stop shopping services for potential investors.

Mr. Speaker, Armenia has another unique advantage: A large Diaspora community in the United States, over one million strong, eager to participate in the national rebirth of Armenia, is seeking opportunities to promote Armenia's economic development.

As the U.S. seeks to establish partnerships with emerging nations in strategically located regions, nations that share our values of political and economic freedom, Armenia stands out as an important country with which to develop close ties in the political, diplomatic and cultural areas and, as I have said tonight, also in the economic sphere.

REVISIONS TO ALLOCATION FOR HOUSE COMMITTEE ON APPROPRIATIONS, PURSUANT TO HOUSE REPORT 106–373, TO REFLECT ADDITIONAL NEW BUDGET AUTHORITY AND ADDITIONAL OUTLAYS FOR EMERGENCIES

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

Mr. KASICH. Mr. Speaker, pursuant to Sec. 314 of the Congressional Budget Act, I hereby submit for printing in the CONGRESSIONAL RECORD revisions to the allocation for the House Committee on Appropriations pursuant to House Report 106–373 to reflect $158,000,00 in additional new budget authority and $39,000,000 in additional outlays for emergencies. This will increase the allocation to the House Committee on Appropriations to $564,472,000,000 in budget authority and $597,571,000,000 in outlays for fiscal year 2000. This will increase the aggregate total to $1,454,921,000,000 in budget authority and $1,434,708,000,000 in outlays for fiscal year 2000.

As reported to the House, H.R. 2466, the conference report accompanying the bill making appropriations for the Department of Interior and Related Agencies for fiscal year 2000, includes $158,000,000 in budget authority and $39,000,000 in outlays for emergencies.

These adjustments shall apply while the legislation is under consideration and shall take effect upon final enactment of the legislation. Questions may be directed to Art Sauer or Jim Bates at x6–7270.

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

(Mr. TOWNS 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 Washington (Mr. NETHERCUTT) is recognized for 5 minutes.

(Mr. NETHERCUTT 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 Ohio (Mr. BROWN) is recognized for 5 minutes.

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

THE NEWLY MINTED SACAJAWEA ONE-DOLLAR COIN

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

Mr. METCALF. Mr. Speaker, the other night I spoke about the success of the new 50 States Commemorative Quarter program the U.S. Mint has instituted from legislation by Congress. The quarter program, under the supervision of Director Phillip Deel at the Mint, has been nothing short of extremely successful. The program, over a period of 10 years, will dedicate 5 States per year to have a State symbol of their choice minted on the back of the quarter dollar coin.

Mr. Speaker, the taxpayers need to understand that coins actually are an incredible revenue money-maker for the Treasury. The reason is simple. All coins have a face value upon their creation, but the cost to the Mint to mint the coin is obviously far less than the face value of the coin.

For instance, the quarter costs the Mint about 5 cents to manufacture. Simple math says there is a 20 cent differential. This differential is called seigniorage, and at the end of every year the Treasury adds this differential to the budget. That is, it helps to pay for the spending that is necessary by the government.

Last year, the total made by all seigniorage made by the Treasury was a little over $1 billion; yes, $1 billion with a ''B.'' Just think, last year the demand for quarters was a little over one billion quarters. This year it is estimated that the Mint will make over 5 billion quarters. From the quarter program alone, the Treasury stands to bring in an extra billion dollars per year, which will help lower the debt of our Nation.

Tonight I want to speak about another coin program. I met with representatives of the U.S. Mint today. The Mint will start production in March of 2000 on the new Sacajawea one-dollar coin. If we remember, the Susan B. Anthony dollar was not a huge success. The main criticism was that its appearance was too much like a quarter. The new coin will be gold in color, with a smooth edge, and on the face of the coin will be a picture of Sacajawea, the Native American woman who is remembered for many qualities, especially for her help to the Lewis and Clark expedition.

As I said earlier, the profit to the taxpayers on each quarter is around 20 cents but the profit on the new Sacajawea dollar coin will be almost 90 cents. Did the taxpayers hear that? Ninety cents seigniorage on every coin.

The Mint estimates about 700 million new dollar coins will be made in the year 2000. That means that in its first year, the new dollar coin will return to the Treasury about $600 million. This is one of the soundest reasons to maintain our coins and to understand the importance of increasing demand. Whether new designs or commemorative programs, the increase in demand means more revenue for the Treasury and less money taxpayers have to pay for government. It also will help battle our national debt, which still looms at over $5 trillion.

As I talk on coins, new kinds of money systems are looming on the horizon with the advent of new technology. Whether they come in the form of smart cards, cyber cash, debit cards or electronic money wallets, remember one thing, when another medium of exchange is accepted, someone else, besides the U.S. Treasury, is getting the profit, and the taxpayers are not reaping the profit.

So here is to the new dollar. I believe it will be accepted by the public as a convenience, especially as the dollar coin machines come more into use.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 5 minutes.

(Mrs. CHRISTENSEN addressed the House. Her remarks will appear hereafter in the Extensions of Remakrs.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. DIAZ-BALART) is recognized for 5 minutes.

(Mr. DIAZ-BALART 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. GONZALEZ) is recognized for 5 minutes.

(Mr. GONZALEZ 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 Extension of Remarks.)

PUT YOUR MONEY WHERE YOUR MOUTH IS AND SAVE SOCIAL SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. BROWN) is recognized for 5 minutes.

Ms. BROWN of Florida. Mr. Speaker, before I begin I want it to be clear that I do not want to be associated with the remarks of the gentlemen on the other side of the aisle pertaining to education and I want to be clear I am talking about the Republicans. Let us not forget that in 1995 the Republicans repealed many of the educational programs that we were discussing here today. They voted to deny Pell grants to thousands of students. They voted to slash the safe and drug-free drug program. They voted to cut Head Start, deny thousands of children an early childhood education. They even voted to cut school lunch programs and they voted to cut food stamps for 14 million children.

My constituents do not understand how a program is saved by cutting it. They knew that when they sent me here that I would never understand that concept, either.

I come to the floor today to discuss another issue that is vital to the welfare of the citizens of the State of Florida. Currently, over 3 million Floridians are receiving Social Security benefits, including over 100,000 in my district. Ever since the Democrats, and let me repeat that, ever since the Democrats created Social Security in 1935, let me repeat that again, the Democrats created Social Security in 1935, not only has it been the centerpiece around which Americans planned their retirement but it has provided peace of mind and benefits to both the disabled workers and the children and sponsors of deceased beneficiaries.

This peace of mind is something few private insurance plans offer. Social Security is especially important to the millions of women who rely on Social Security to keep them out of poverty. Elderly women, including widows, get over 50 percent of their income from Social Security. Women tend to live longer and tend to have lower lifetime earnings than men. They spend an average of 11.5 years out of their careers to care for the family and are more likely to work part time than full-time, and when they do work full-time they earn an average of 70 cents of every dollar men earn. These women are either mothers, wives and daughters and we must save Social Security for them.

I am glad to see that after years of demonizing the Social Security program, Republicans are starting to realize how important this program is. Unfortunately for the American people, my Republican colleagues talk the talk but they do not walk the walk. While the President and the Democrats in Congress want to use the budget surplus to secure the Social Security program, Republicans want to give special interests and the wealthy a huge tax cut, over $700 billion the last time I checked.

I recently had several young children visiting me here in Washington participating in the Voices Against Violence program. One of the first questions they asked me was whether or not Social Security would be there for them. I told them it would be there if we took this opportunity we now have to secure the program.

So I ask my colleagues to do the right thing for the kids and the thousands of children throughout the

United States who are wondering the same thing. Put your money where your mouth is and save Social Security.

□ 2320

ILLEGAL NARCOTICS

The SPEAKER pro tempore (Mr. TANCREDO). Under the Speaker's announced policy of January 6, 1999, the gentleman from Florida (Mr. MICA) is recognized for half the time until midnight as the designee of the majority leader.

Mr. MICA. Mr. Speaker, I come to the floor late tonight to talk about a subject I often talk about, normally on Tuesday nights in a special order, but did not get that opportunity this week, so I am here tonight to talk about what I consider to be one of the most important social problems facing not only the Congress but the American people in almost every community and almost every family across our land, and that is the problem of illegal narcotics.

In the House of Representatives, I have the honor and privilege of chairing the Subcommittee on Criminal Justice, Drug Policy and Human Resources of the Committee on Government Reform. And in that subcommittee we have done our best to try to bring together every possible resource of the Congress and of the American government in an effort to combat illegal narcotics.

The ravages of illegal narcotics and its impact on our population I have spoken to many times on the floor of the House. I just mentioned last week that we now exceed 15,200 individuals who died last year, in 1998, from dug-induced deaths. This is up some nearly 8 percent over the previous year.

I have also talked on the floor of the House of Representatives and to my colleagues about some of the policies that were passed by the Clinton administration in 1993, when they controlled both the House of Representatives, the Senate, and the White House, all three bodies, and fairly large voting margins in the House of Representatives. So, basically, they could do whatever they wanted to do. Unfortunately, as is now history, they took a wrong turn in the effort to combat illegal narcotics.

They began by closing down the drug czar's office from some nearly 120 employees in that office to about two dozen employees in that office. They dismissed nearly all of the drug czar's staff. With the Republican Congress, and through the efforts of the former chairman of the oversight committee of drug policy, the gentleman from Illinois (Mr. HASTERT), who is now Speaker of the House of Representatives, we have restored those cuts. We have manpower now in that office of nearly 150 individuals under the supervision of our drug czar, General Barry McCaffrey.

Under the Clinton administration, the source country programs to stop illegal narcotics at their source were stopped in 1993. They were slashed some 50 percent plus. This took the military out of the interdiction effort, which closed down much of the interdiction effort and having the Coast Guard work to secure some of our borders and our maritime areas. Those efforts were dramatically slashed. And, additionally, other cuts were made.

Changes in policy were made that were quite dramatic. The surgeon general, chief health officer of the United States, appointed by the President, was then Joycelyn Elders, and that individual sent the wrong message: Just say maybe. So we had the highest leadership in the land and we had the highest health officer developing a different policy, a policy that really failed us.

I have some dramatic charts here tonight that show exactly what happened. I had our subcommittee staff put these together to show the long-term trend and lifetime prevalence of drug use. We can see during the Reagan and Bush administration that the long-term trend in lifetime drug use was on a decline. And I have talked about this and sort of illustrated it by hand, but we have graphically detailed this from 1980, when President Reagan took office, on down to where President Clinton took office. I do not think there is anything that I have shown on the floor that can more dramatically illustrate the direct effects of that change in policy. And that policy, as we can see, had illegal narcotics going up.

What is interesting is we see a slight change here, and that is after the Republicans took control of the House of Representatives and the United States Senate and started to put, as I say, Humpty Dumpty back together again. Because we basically had no drug war here. If we want to call it a drug war, we have actually almost doubled the amount of money for treatment.

Now, just putting money on treatment of those afflicted by illegal narcotics, not having the equipment, the resources, the interdiction, the source country programs, is like conducting a war and just treating the wounded. Someone told me it is sort of like having a MASH unit and not giving the soldiers any ammunition or the ability to fight or conduct the war. And this is so dramatically revealed in this chart.

What is interesting, if we look at some other charts of specific narcotics, we see sort of a steady up-and-down trend, and a good trend down during the Bush administration in the long-term, lifetime prevalence in the use of heroin. In the Clinton administration, it practically shoots off the chart. And again, when we restarted our war on drugs, through the leadership of the gentleman from Illinois (Mr. HASTERT), who chaired the subcommittee with this responsibility before me, and in this Republican-controlled Congress, there was a renewed emphasis, a change in policy, employing a multifaceted approach which again began attacking drugs at their source, again employing interdiction, again trying to utilize every resource that we have in this effort. And it is a national responsibility to stop illegal narcotics at their source. And now here we see graphically displayed what has happened with heroin use.

What is absolutely startling is that some of this usage in this area, these dramatic increases, we had an 875 percent increase in teen use of heroin in that period of time that we see here with the Clinton administration. Eight hundred seventy-five percent. And we are experiencing dozens and dozens of deaths in my central Florida community from this heroin, because it is not the same heroin that was on the streets in the 1980s or the 1970s that had a purity of 6 and 7 percent. This is 80 and 90 percent pure. These young people take it and they die. And there are more and more of them using it.

But we have managed to begin to turn this around through the efforts, again, of a Republican-led Congress. And this shows, again, some dramatic change in usage. This is another absolutely startling chart that our staff has prepared. We traced the long-term trend in the prevalence of cocaine use. In the Reagan administration, we see here where we had a problem. And I remember as a staffer working with Senator Hawkins, who led some of the effort in the United States Senate back in the early 1980s, that they began the downturn. In the Bush administration, incredible progress was made. Back in the Clinton administration, we see again a rise of cocaine use and drug abuse. And this is basically where they closed down the war on drugs.

□ 2330

Now, what is very interesting is we are at a very important juncture here in the House of Representatives. We need 13 appropriations measures to fund the Government. And among the 13 appropriations measures, one of those is to fund and assist with the finance and operations of the District of Columbia.

Many people do not pay much attention to this. Some of the Members pay little attention to this. But I think that the situation with the District of Columbia is very important to talk about tonight as it relates to changes in drug policy.

We have to remember that one of the major issues of contention here between the Republican Congress and between the Democrat side of the aisle is a liberalization of drug policy. That manifests itself in two ways.

First, there is support on the other side of the aisle for a needle exchange program in the District. There is also an effort here to allow the medical use of marijuana and liberalization of some of the marijuana laws here, two policies with a liberal slant.

Now, let me say something about the liberal policies that have been tried. And I have used this chart before. Let me take this chart and put it up here.

This is the policy of Baltimore which Baltimore adopted some 10 years ago. Baltimore has a needle exchange program. That needle exchange program has resulted in 1996 in 38,900, according to DEA at that time, drug addicts.

So they started a needle exchange program, they lost population, and they gained dramatic increase in drug addiction, particularly heroin addiction.

Now, this is the chart from 1996. I have a Time Magazine article from September 6, and it says, and this is not my quote, it is a quote from this article, it says one in every 10 citizens is a drug addict. And that is more to what the representative from Maryland in that particular area has told me.

However, listen to this: Government officials dispute the last claim. Here is a quote, and it is not my quote. ''It is more like one in eight,'' says veteran City Councilwoman Rikki Spector, ''and we have probably lost count.''

So a liberal policy that this House of Representatives' Democrat representation wants for Washington, that this President wants for Washington has been tried in Baltimore. This is the result.

I also will illustrate what has taken place in New York City with the murder decline. In New York City, you have Mayor Rudy Giuliani who has adopted a zero tolerance, no-nonsense, get tough and the opposite of a liberal policy but a tough policy. From the 2000 mark, they are down to the 600 level. In other words, in Baltimore, Baltimore in 1997, and I checked the figures, had 312 murders. In 1998, they had 312 murders. No decline, static, and with a liberal policy.

Here is a tough policy, and we see a dramatic decrease. It is almost a 70-percent decrease in murders. I think if you look at these murders in both of these cities you will find that they are drug and illegal narcotics related.

So the question before the Congress and the question before us tonight is really do we adopt a liberal policy?

Now, we have been there, and we have done that. I came to this Congress in 1992 and watched how with the other side controlling the House, the Senate, and the White House what they did. They had 40 years of control of this body and over policy of the District of Columbia. We have had a little more than 4 years. This is what we inherited. We inherited almost three-quarters of a billion dollar deficit that they were running here.

Here are some of the statistics about what had happened in Washington, and I will read these from The Washington Post and some other articles. They are not my quotes or statements. But the facts are, although the District of Columbia was 19th in size among American cities, its full-time employee population then was 48,000. We have got it down to some 33,000 kicking and screaming. It was only exceeded by New York and Los Angeles when we inherited that responsibility.

So we had a liberal policy which gave us one of the highest debts of any local government in the Nation, one of the highest number of employees. And the question was, was enough revenue coming in.

D.C. also had revenues per capita of $7,289, which at that time was the highest in the Nation. We have managed in a little over 4 years to balance the budget in this budget that is being presented, that is being vetoed and the D.C. appropriations measure, that is being vetoed has been vetoed by the President.

The debt that the average citizen had was one of the highest figures in the United States at $6,354. And that is what we inherited here. The other side is always concerned about how policies affect people. The Republicans inherited the District of Columbia. This is an article from 1995 when we inherited it of the impending cutbacks at D.C. General, this is the hospital, make it apparently inevitable that Washington's own public hospital will close its trauma center. And who would be hurt the hardest? This article says that thousands of poor and expensive-to-treat patients would be those who were hurt. This is what we inherited.

Now we have gotten this in order, and the question is do we want to go back to those liberal policies and high-spending, high-taxing policies?

Here is a great story. Talk about helping children. After 6 months in the District bureaucratic trenches, this is a woman who came from Guam and was a welfare specialist and this is quoted from 1995 in The Washington Post. This lady quit. Saddened and shocked, she said, by a foster care system so bad that it actually compounds the problems of neglected children and their families.

She said she came here from Guam, she worked in Guam, and she said then to come here and see one of the worst situations, it is depressing. This is what the Republican majority inherited, and this is what the other side would like to go back to with again their liberal policies, their tax policies.

Here is an article that I saved from 1996. ''Ghost payrolls ought to determine dead retirees in District getting pensions.'' Again, a system out of control. Again, the question of responsibility and education. This is what we inherited in 1995. Currently, we have 20 condemned boilers in the schools, 103 of 230 buses are non-operational because of the budget crisis. And at that time again they were spending three-quarters of a billion over their budget.

And very sadly, I recall and I saved this article. It says, ''With past due, St. Elizabeth skimps on children's meals.''

They want to go back to those wonderful days of yesteryear when they controlled the District of Columbia for some 40 years. This is what they did for those people that they supposedly care about after taxing them nearly to death, running business, running population out.

□ 2340

This is a quote:

''Some mentally ill children at the District's St. Elizabeths Hospital have been fed little more than rice, jello and chicken for the last month after some suppliers refused to make deliveries because they haven't been paid.'' And they had not been paid even with running a supplement from the taxpayers across the United States of three-quarters of a billion dollars running in debt.

The housing program in the District of Columbia, again to return to those wonderful days of yesteryear when they controlled the House of Representatives, the Senate and the White House, this is 1995. According to a U.S. Department of Housing and Urban Development rating system, the District subsidized housing program achieved the lowest ranking of any urban public housing agency in the Nation. On a scale where a score below 60 places an agency in the troubled category, the District's rating plunged from 37 in 1991 to 19 in 1993. They ran it into the ground and now they want to do it again.

What is interesting is, I had another chart here that I wanted to show, but I will not have time tonight. I will try to get back to it next Tuesday when we continue our effort to show why we should not go to a liberal policy on narcotics, on spending, on taxation that is being proposed by the other side of the aisle.

Mr. Speaker, do I have any time remaining?

The SPEAKER pro tempore (Mr. TANCREDO). There being no designee of the minority leader, the gentleman may proceed until midnight.

Mr. MICA. In that case, Mr. Speaker, I would like to continue tonight rather than wait until next Tuesday night, again with some information that I think is very important.

I talked about the situation with Baltimore and with Washington and the inclination of the other side of the aisle to go now to a liberal drug policy with needle exchange. Many people say, well, if you adopt a needle exchange, it will help cut down on HIV infections, it will help drug users. Let me just quote a program that was tried, a needle exchange program report that was given to our subcommittee, and tell a little bit about what took place with that particular needle exchange program which now I believe the President and the other side of the aisle would like to protect with the President's veto of the D.C. appropriations measure.

A 1997, Vancouver study reported that when their needle exchange program started in 1988, HIV prevalence in IV drug addicts was only 1 to 2 percent. It is now 23 percent.

We see that when they started out with a needle exchange program, at the very beginning they only had 1 to 2 percent infection rate. Now it jumped to 23 percent. The study found that 40 percent of HIV-positive addicts had

lent their used syringe in the previous 6 months. So the very intent of not having needles being exchanged and spreading HIV was actually increased by giving out these free needles. Again, this is the results of a needle exchange program study in Vancouver in 1998.

Additionally, the study found that 39 percent of the HIV negative addicts had borrowed a used syringe in the previous 6 months.

A Montreal study showed that HIV addicts who used needle exchange programs were more than twice likely to become infected with HIV as HIV addicts who did not use the needle exchange program. That is another study in Montreal.

The American Journal of Epidemiology in 1990 reported on a study that was entitled ''Syringe Exchange and Risk of Infection With Hepatitis B and C Viruses.'' In this study there was no indication of a protective effect of syringe exchange against HBV or HCV infection. Indeed, the highest incidence of infection occurred among current users in the needle exchange program.

If it was not more conflicting than anything to have the administration, the President, veto the D.C. measure and also again the liberal side of the aisle here encourage and fight over adoption of a more liberal drug policy and a needle exchange policy, even the administration's own head of the Office of Drug Policy, General Barry McCaffrey, who is respected on both sides of the aisle has said, and let me quote from him, ''By handing out needles, we encourage drug use. Such a message would be inconsistent with the tenor of our national youth-oriented antidrug campaign.'' That is again a quote by General McCaffrey.

So we have a choice of really going back to, as I said, the days of yesteryear when we had the housing programs in the District of Columbia in default, we had the emergency medical services and the hospitals closing down or not able to operate. I have cited before on the House floor a story that I read in the Washington Post back again with the other side controlling the District budget, with the other side letting the funding of the District budget run amuck, with the other side letting a liberal policy of spending and taxation prevail in the District, I cited this report in the Washington Post where in fact it was said by a reporter that at that time you could dial 911 for emergency services or you could dial for a pizza to be delivered and you would get the pizza sometimes quicker than you could get the emergency medical services.

Again, the other side had 40 years to run this body and also to oversee the operations under the Constitution, and it is a specific constitutional mandate that the Congress do conduct oversight and is responsible for the District of Columbia. The question again before us is whether we want to return to the liberal policies and the failed policies of the past.

In addition to some of the areas that I cited that we inherited in the District for responsibility were also the prisons. The other side spent a fortune on the prisons. We ended up with inheriting a prison system that was basically out of control. In fact, it was so bad we basically had to close down the Lorton prison. The prisoners had taken over the prison.

Another story that was reported here in the Washington Post was the water system. Sometimes you could not drink the water in the District and basically the system was broken down and had to be renovated. The District office building, which was the seat of government, basically looked like a third world country capital headquarters. Air conditioners were falling out of the windows. I ask anyone to drive by the District office building now and see the refurbishing that is going on. It would make you very proud of the District of Columbia. That again is something we have been able to do in a little over 4 years, and they let go into default in some 40 years of their stewardship.

So do we want to return to that time of high spending, high taxes, of liberal policies? When I came to the District of Columbia some 7 years ago, the murder rate and most of the murders here are black-on-black murders and young males between the ages of 14 and 40, and we still have horrendous deaths here, but even in the District of Columbia through oversight of this new Republican majority, I think we have been able to bring down some of those deaths, to straighten out the law enforcement activities in the District which also were hurt tremendously by the liberal policies of spending and taxation that almost ruined our Nation's capital.

So we had a capital that was hemorrhaging, a capital that indeed had so many problems, I could probably spend the rest of the night citing article after article about the waste and abuse that we inherited here.

□ 2350

Again we are at a critical juncture in this appropriations process. The question is: Do we return again to those spending tendencies, and just because they spent more did not mean people got less. You heard what happened to the critically ill, you heard what happened to those children who were cares and wards of the city and the District of Columbia, you heard those who relied on public housing had a defunct public housing, the water system, the prison system.

So this is a real challenge, and it really magnifies what is going on with the rest of these appropriations bills, whether it is education that we discussed here today. Education system, and again in Washington they were spending more per capita and their students were performing at lower levels. Spend more; get a lower result, and regulate and administer in a very expensive fashion.

That is similar to some of the conflict that we face in these spending and appropriation bills. I call it the RAD approach, Regulate, Administer and Dictate, and that is what has happened in Washington, and that is what we are trying to fight as we try to pass 13 appropriations measures.

The real easy thing for the new majority, although we took a tremendous amount of guff for it, and people called us names and said that the sliced bread, as we know it, would no longer exist, and accused of all kind of things. We did bring our Nation's finances into order just as we brought the District of Columbia's finances into order, and it was a fairly simple thing. What you do is limit your expenditures. We did not have huge increases in these programs. Just like I cited the District of Columbia, we did not have huge increases. We moderated the increases. We were able to balance the budget.

Sometimes I think that was the easy part, even though we got a lot of grief for it.

The tough part is now in trying to take these programs like education that we have brought power and authority and programs to Washington so that a teacher cannot teach, so that there is not authority at the local level, so that there is not discipline in the classroom, so that the emphasis, again, is on creating regulations from Washington, administering from Washington and keeping the power in Washington as opposed to out there.

So now we are engaged, and even today we have been spending incredible amounts of money for young people and their education, and yet they have not performed well, and particularly those young people who are the most disadvantaged in our society and our schools and communities. So, programs like title I that are so important, we need to revisit; Head Start programs, we need to revisit; not eliminate, not destroy, not cut out, but make them work so that every dollar is effectively applied and that those young people have the best opportunity ever.

So this is what the debate is about, 13 appropriations measures. The President has vetoed the District bill and several other bills. He is holding several bills hostage. We have passed several this afternoon. We passed an Interior appropriations measure, and we must fund the government.

The hard work, as I said, is taking each of these programs together, whether it is Department of Interior, Education, Commerce, defense bills and making them work. My responsibility is a small responsibility, and that is trying to take the drug war that was closed down in 1993 by the Clinton administration, the drug policy which destroyed our ability to stop drugs cost effectively at their source or interdict them before they got to their borders. Once they get past our borders, it becomes almost an impossible task for our law enforcement, local communities and families to deal with that.

So we have seen an incredible increase in the supply of hard narcotics coming in with our guard let down with a doubling, in fact, of the money on treatment, and I have no problem with spending two or three times what we are spending on treatment as long as it is effective. But it must also be part of a multi-faceted program, a program of interdiction, eradication at source countries, a strong program of enforcement.

As I cited, the New York experience, zero tolerance does work. The liberal policy they tried in Baltimore and some other communities does not work. We could take Los Angeles and other communities that have had tough crack-down policies, and these figures and statistics from zero tolerance and tough enforcement are so dramatic they have affected our national crime rate.

And then of course education, and under the leadership of the gentleman from Illinois (Mr. HASTERT) who chaired this responsibility before me we initiated and launched the largest effort, a media campaign effort, ever by, I think, any government in probably the history of America or any government in getting an anti-narcotics message, a billion-dollars campaign over 5 years. We are now a little over a year into it. Last week our subcommittee held a hearing on where we are, how that money has been spent, is it being spent effectively.

So that is another part of this puzzle that we need to put back together, a part that really was not even there even in the Bush and Reagan administration and even through the Clinton administration. That money, that billion dollars we put up in taxpayer money, is matched by an equal or an amount in excess of that Federal contribution by a donation, so we think we are seeing again, and I will be glad to put the charts up again, see the beginning of a downturn. But it takes all of those efforts, not closing down the War on Drugs, and there was not a War on Drugs after 1993 to 1995, and it has taken us several years to get that back on track, to put, as I say Humpty Dumpty back together again.

So we have learned some lessons. Liberal policies, they just do not work.

The District is a very, a very, very exact case, and we can cite it agency after agency. We look at our federal bureaucracy, and we have the same thing, big spending, spend more get less. That is not the answer. But we need to make these programs less. If we need to spend more, I do not think there are folks here on our side of the aisle that would not adequately fund programs, but we want to see results. We do not want to return to a destroyed District of Columbia with the high spending, with the high taxes, with the agency after agency defunct with people who need help and people who need government to work, have it actually work against them, as it did here in the District of Columbia and now does in some programs which we have not been able to change because of opposition, because of name calling and trying to hold on to the vestiges of the liberal past policies that do not work.

So tonight is not a full hour, and we will return next week with more information about our efforts to get our drug policy back on track and to make some of these programs work, but we certainly will stay here, will endure vetoes by the President and slings and arrows from the other side, but we are going to make these things work, and we are going to make them work effectively and stay on track even though it is a difficult path.

So, with those comments, Mr. Speaker, and almost at the appointed hour of recess I am pleased to yield back.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MASCARA (at the request of Mr. GEPHARDT) for today after 8:00 p.m. on account of medical reasons.

Ms. MCCARTHY of Missouri (at the request of Mr. GEPHARDT) for today on account of attending a funeral.

Ms. JACKSON-LEE of Texas (at the request of Mr. GEPHARDT) for today after 2:00 p.m. on account of family matters.

Mr. CAMP (at the request of Mr. ARMEY) for today on account of the birth of his daughter.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Mr. TOWNS, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mrs. CHRISTENSEN, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Ms. BROWN of Florida, for 5 minutes, today.

(The following Members (at the request of Mr. HILLEARY) to revise and extend their remarks and include extraneous material:)

Mr. KASICH, for 5 minutes, today.

Mr. NETHERCUTT, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today.

Mr. DIAZ-BALART, for 5 minutes, today.

Mr. RAMSTAD, for 5 minutes, today and October 22.

Mr. PAUL, for 5 minutes, today.

Mr. TANCREDO, for 5 minutes, today.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1663. An act to recognize National Medal of Honor sites in California, Indiana, and South Carolina.

H.R. 2670. An act making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 1663. To recognize National Medal of Honor sites in California, Indiana, and South Carolina.

H.R. 2841. To amend the Revised Organic Act of the Virgin Islands to provide for greater fiscal autonomy consistent with other United States jurisdictions, and for other purposes.

ADJOURNMENT

Mr. MICA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 59 minutes p.m.), under its previous order, the House adjourned until Monday, October 25, 1999, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4863. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Asian Longhorned Beetle; Addition to Quarantined Areas [Docket No. 99–033–2] received October 19, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4864. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Overseas Use of the Purchase Card [DFARS Case 99–D002] received October 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4865. A letter from the Secretary of Defense, transmitting the retirement and advancement to the grade of lieutenant general of Lieutenant General William J. Bolt; to the Committee on Armed Services.

4866. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Introduction to FHA Programs—received October 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

4867. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Section 8 Moderate Rehabilitation Program; Executing or Terminating Leases on Moderate

Rehabilitation Units When the Remaining Term of the Housing Assistance Payments (HAP) Contract is for Less Than One Year [Docket No. FR–4472–I–01] (RIN: 2577–AB98) received October 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

4868. A letter from the Assistant General Counsel for Regulations, Office of the Assistant Secretary for Housing, Department of Housing and Urban Development, transmitting the Department's final rule—Single Family Mortgage Insurance; Clarification of Floodplain Requirements Applicable to New Construction [Docket No. FR–4323–F–02] (RIN: 2502–AH16) received October 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

4869. A letter from the Assistant General Counsel for Regulation, Office of the Secretary, Department of Housing and Urban Development, transmitting the Department's final rule—Section 8 Housing Assistance Payments Program—Contract Rent Annual Adjustment Factors, Fiscal Year 2000 [Docket No. FR–4528–N–01] received October 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

4870. A letter from the Assistant General Counsel for Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting the Department's final rule—Fair Market Rents for the Section 8 Housing Assistance Payments Program—Fiscal Year 2000 [Docket No. FR–4496–N–02] received October 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

4871. A letter from the Assistant General Counsel for Regulations, Office of the Assistant Secretary for Housing, Department of Housing and Urban Development, transmitting the Department's final rule—Introduction to FHA Programs—received October 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

4872. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—General and Plastic Surgery Devices; Classification of the Nonresorbable Gauze/Sponge for External Use, the Hydrophilic Wound Dressing, the Occlusive Wound Dressing, and the Hydrogel Wound Dressing [Docket No. 78N–2646] received October 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4873. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Gastroenterology and Urology Devices; Classification of the Electrogastrography System [Docket No. 99N–4027] received October 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4874. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Washington: Final Authorization of State Hazardous Waste Management Program Revision [FRL–6449–8] received September 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4875. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standard for Hazardous Air Pollutants; National Emission Standards for Radon Emissions From Phosphogypsum Stacks [FRL–6443–7] (RIN: 2060–AF04) received September 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4876. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans: Approval of Revisions to the North Carolina State Implementation Plan [NC–087–1–9939a; FRL–6463–6] received October 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4877. A letter from the Attorney, Office of the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Collaborative Procedures for Energy Facility Applications [Docket No. RM98–16–000; Order No. 608] received October 12, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4878. A letter from the Secretary of Health and Human Services, transmitting the Biennial Report of the Director, National Institutes of Health, 1997–1998; to the Committee on Commerce.

4879. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

4880. A letter from the Deputy Associate Administrator, Office of Acquisition Policy Office of Governmentwide Policy, Department of Defense, General Services transmitting the Department's final rule—Federal Acquisition Regulation; Small Entity Compliance Guide [FAC 97–14] received September 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4881. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, Office of Governmentwide Policy, Department of Defense, General Services transmitting the Department's final rule—Federal Acquisition Regulation; Technical Amendments [FAC 97–14; Item XVI] received September 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4882. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, Office of Governmentwide Policy, Department of Defense, General Services transmitting the Department's final rule—Federal Acquisition Regulation; Cost Accounting Standards Post-Award Notification [FAC 97–14; FAR Case 98–003; Item XV] (RIN: 9000–AI23) received September 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4883. A letter from the Deputy Associate Administrator, Office of Acquisition Policy Office of Governmentwide Policy, Department of Defense, General Services transmitting the Department's final rule—Federal Acquisition Regulation; Cost Accounting Standards Post-Award Notification [FAC 97–14; FAR Case 98–003; Item XV] (RIN: 9000–AI23) received September 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4884. A letter from the Director, Executive Office of the President, Office of Management and Budget, transmitting the annual inventory of commercial activities performed by Federal Government employees; to the Committee on Government Reform.

4885. A letter from the Director, Office of Management and Budget, transmitting a copy of the report, ''Agency Compliance with Title II of the Unfunded Mandates Reform Act of 1995,'' pursuant to 2 U.S.C. 1538; to the Committee on Government Reform.

4886. A letter from the Director, Indian Health Service, transmitting Study and inventory of open dumps on Indian lands, pursuant to 25 U.S.C. 3903; to the Committee on Resources.

4887. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna [I.D. 091599A] received October 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4888. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Fire Protection Measures for Towing Vessels [USCG–1998–4445] (RIN: 2115–AF66) received October 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4889. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Thames River, CT [CGD01–99–178] (RIN: 2115–AE47) received October 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4890. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Water Quality Standards; Establishment of Numeric Criteria for Priority Toxic Pollutants; States' Compliance-Revision of Polychlorinated Biphenyls (PCBs) Criteria [FRL–6450–5] (RIN: 2040–AD27) received September 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4891. A letter from the Writer-Editor, Bureau of Alcohol, Tobacco and Firearms, transmitting the Bureau's final rule—Rules of Practice in Permit Proceedings; Technical Amendments [T.D. ATF–414] (RIN: 1512–AB91) received October 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4892. A letter from the Writer-Editor, Bureau of Alcohol, Tobacco and Firearms, transmitting the Bureau's final rule—Delegation of Authority (99R–159P) [T.D. ATF–416] (RIN: 1512–AB94) received October 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4893. A letter from the Writer-Editor, Bureau of Alcohol, Tobacco, and Firearms, transmitting the Bureau's final rule—Technical Amendments [T.D. ATF–413] (RIN: 1512–AC00) received October 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEE ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and references to the proper calendar, as follows:

Mr. LINDER: Committee on Rules. House Resolution 339. Resolution providing for consideration of the bill (H.R. 2260) to amend the Controlled Substances Act to promote pain management and palliative care without permitting assisted suicide and euthanasia, and for other purposes (Rept. 106–409). Referred to the House Calendar.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. HYDE: Committee on the Judiciary. H.R. 2005. A bill to establish a statute of

repose for durable goods used in a trade or business, with an amendment; referred to the Committee on Commerce for a period ending not later than October 22, 1999, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(f), rule X. (Rept. 106–410, Pt. 1).

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BACHUS:

H.R. 3120. A bill to amend the Internal Revenue Code of 1986 to provide additional tax incentives for education; to the Committee on Ways and Means.

By Mr. RADANOVICH:

H.R. 3121. A bill to amend the Migrant and Seasonal Agricultural Worker Protection Act; to the Committee on Education and the Workforce.

By Mr. THOMAS (for himself, Mr. NEY, Mr. HOYER, Mr. EHLERS, Mr. EWING, and Mr. FATTAH):

H.R. 3122. A bill to permit the enrollment in the House of Representatives Child Care Center of children of Federal employees who are not employees of the legislative branch; to the Committee on House Administration.

By Mr. WICKER:

H.R. 3123. A bill to ensure that members of the Armed Forces who are married and have minor dependents are eligible for military family housing containing more than two bedrooms; to the Committee on Armed Services.

By Mr. PAUL:

H.R. 3124. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for police officers and professional firefighters, and to exclude from income certain benefits received by public safety volunteers; to the Committee on Ways and Means.

By Mr. GOODLATTE (for himself, Mr. LOBIONDO, Mr. WOLF, Mr. BOUCHER, Mr. GIBBONS, and Mr. GOODE):

H.R. 3125. A bill to prohibit Internet gambling, and for other purposes; to the Committee on the Judiciary.

By Mr. FRANK of Massachusetts:

H.R. 3126. A bill to amend title 10, United States Code, to provide that consensual sexual activity between adults shall not be a violation of the Uniform Code of Military Justice; to the Committee on Armed Services.

By Mr. MOORE:

H.R. 3127. A bill to amend the Internal Revenue Code of 1986 to eliminate the complexities of the estate tax deduction for family-owned business and farm interests by increasing the unified estate and gift tax credit to $3,000,000 for all taxpayers; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 3128. A bill to amend the Internal Revenue Code of 1986 to provide for a nonrefundable tax credit for law enforcement officers who purchase armor vests, and for other purposes; to the Committee on Ways and Means.

By Ms. PRYCE of Ohio:

H.R. 3129. A bill to amend title 18, United States Code, to prohibit strength increasing equipment in Federal prisons and to prevent Federal prisoners from engaging in activities designed to increase fighting ability while in prison; to the Committee on the Judiciary.

By Mr. BAKER:

H.R. 3130. A bill to amend the Tennessee Valley Authority Act of 1933, to ensure that the Tennessee Valley Authority does not place the United States Treasury at risk for its financial instability, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARR of Georgia:

H.R. 3131. A bill to permit congressional review of certain Presidential orders; to the Committee on the Judiciary.

By Mr. CAPUANO (for himself, Mr. SHAYS, Mr. CONYERS, Mr. HASTINGS of Florida, Mr. LATOURETTE, Mr. FRANK of Massachusetts, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Ms. MILLENDER-MCDONALD, Mr. LEWIS of Georgia, Mr. BALDACCI, Mr. OLVER, Mr. HOLT, Mr. EVANS, Mr. MASCARA, Mr. MARKEY, Ms. DELAURO, Mrs. MEEK of Florida, Mr. LARSON, Mr. OWENS, Mrs. MINK of Hawaii, Mr. REYES, Mr. CROWLEY, Mr. BONIOR, Mr. ROTHMAN, Mr. BROWN of Ohio, Mr. GONZALEZ, Ms. HOOLEY of Oregon, Mr. JACKSON of Illinois, Mr. MEEHAN, Mr. WEINER, Mrs. LOWEY, Ms. KILPATRICK, Ms. JACKSON-LEE of Texas, Ms. WATERS, Mr. MENENDEZ, Ms. WOOLSEY, Mr. SHOWS, Mr. DEFAZIO, Mr. NEAL of Massachusetts, Ms. BALDWIN, Mr. BRADY of Pennsylvania, Mr. DELAHUNT, Mr. PASCRELL, Mr. HOEFFEL, Ms. LEE, Mr. TIERNEY, and Mr. MALONEY of Connecticut):

H.R. 3132. A bill to provide grants to assist State and local prosecutors and law enforcement agencies with implementing juvenile and young adults witness assistance programs that minimize additional trauma to the witness and improve the chances of successful criminal prosecution or legal action; to the Committee on the Judiciary.

By Mr. FALEOMAVAEGA (for himself, Mr. ABERCROMBIE, Mrs. CHRISTENSEN, Mr. DEUTSCH, Mr. ROMERO-BARCELÓ, and Mr. UNDERWOOD):

H.R. 3133. A bill to authorize the Secretary of Commerce, through the National Oceanic and Atmospheric Administration, to provide financial assistance for coral reef conservation projects, and for other purposes; to the Committee on Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAXTON:

H.R. 3134. A bill to ban the provision of Federal funds to the International Monetary Fund unless it pays remuneration to the United States on 100 percent of the reserve position of the United States in the International Monetary Fund; to the Committee on Banking and Financial Services.

By Mr. SABO:

H. Con. Res. 203. Concurrent resolution recognizing the late Bernt Balchen for his many contributions to the United States and a lifetime of remarkable achievements on the centenary of his birth, October 23, 1999; to the Committee on Government Reform.

By Mr. SMITH of New Jersey (for himself, Mr. HOYER, and Mr. FORBES):

H. Con. Res. 204. Concurrent resolution voicing concern about serious violations of human rights and fundamental freedoms in most states of Central Asia, including substantial noncompliance with their Organization for Security and Cooperation in Europe (OSCE) commitments on democratization and the holding of free and fair elections; to the Committee on International Relations.

By Mr. HASTINGS of Florida:

H. Res. 340. A resolution expressing the appreciation of the House of Representatives to the King of Jordan for his efforts to support the Middle East peace process and to condemn efforts within Jordan to further hostility between Jordanians and Israelis by ostracizing and boycotting those individuals who have had any contact with Israel or Israeli citizens; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. PETRI introduced a bill (H.R. 3135) for the relief of Thomas McDermott, Sr.; which was referred to the Committee on Resources.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolution as follows:

H.R. 50: Mr. GOODE.

H.R. 72: Ms. VELZQUEZ and Ms. SÁNCHEZ.

H.R. 136: Ms. PRYCE of Ohio.

H.R. 170: Mr. HALL of Ohio.

H.R. 274: Mr. COOKSEY, Mr. CLYBURN, Mr. FOSSELLA, Ms. MCKINNEY, and Mr. BATEMAN.

H.R. 371: Mr. PETERSON of Minnesota.

H.R. 403: Mr. WAXMAN and Mr. MARTINEZ.

H.R. 405: Mr. KANJORSKI and Mr. WELDON of Florida.

H.R. 406: Mr. KANJORSKI.

H.R. 566: Ms. NORTON.

H.R. 600: Mr. ISAKSON.

H.R. 623: Mr. EWING.

H.R. 714: Mr. PASTOR and Mr. ABERCROMBIE.

H.R. 721: Mr. COMBEST.

H.R. 728: Mr. EVANS.

H.R. 731: Mr. SISISKY and Ms. LEE.

H.R. 804: Mrs. LOWEY.

H.R. 960: Mr. TOWNS and Ms. BERKLEY.

H.R. 1071: Mr. BONIOR, Ms. NORTON and Mr. SAWYER.

H.R. 1080: Mr. BAIRD.

H.R. 1102: Mr. SCHAFFER, Mrs. CAPPS, and Mr. LAMPSON.

H.R. 1193: Mr. SMITH of Texas.

H.R. 1196: Mr. VENTO.

H.R. 1221: Ms. DELAURO.

H.R. 1228: Mr. NEAL of Masssachusetts, Mr. WEXLER, Mr. OLVER, Mr. RODRIGUEZ, and Mr. ROTHMAN.

H.R. 1260: Mr. VISCLOSKY.

H.R. 1304: Mr. KUYKENDALL and Mr. DIXON.

H.R. 1325: Mr. STRICKLAND.

H.R. 1344: Mr. PASTOR.

H.R. 1356: Mr. SCHAFFER.

H.R. 1518: Mr. CUMMINGS.

H.R. 1591: Mr. CUMMINGS.

H.R. 1592: Mr. SHIMKUS.

H.R. 1644: Ms. DEGETTE.

H.R. 1657: Mr. LIPINSKI.

H.R. 1686: Mr. WELDON of Pennsylvania.

H.R. 1775: Mr. KUYKENDALL, Mr. WOLF, Mr. COOKSEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WAXMAN, Mr. CUNNINGHAM, Mr. LEWIS of California, Mr. HOEFFEL, Mr. HUNTER, and Mr. TANCREDO.

H.R. 1837: Mr. HOYER, Mr. SANDERS, Ms. LEE, and Mr. TURNER.

H.R. 1838: Mr. VENTO.

H.R. 1926: Mr. BARRETT of Wisconsin.

H.R. 1977: Mr. SHERMAN.

H.R. 2059: Mr. GILMAN and Mr. THOMPSON of Mississippi.

H.R. 2100: Mr. LATHAM, Mr. ROTHMAN, and Mr. GIBBONS.

H.R. 2162: Mr. BILBRAY.

H.R. 2171: Mr. MOORE.

H.R. 2341: Mrs. WILSON, Ms. ESHOO, Ms. BERKLEY, Ms. PELOSI, Mr. KLINK, Mrs. CAPPS, Mr. UPTON, Mr. WATT of North Carolina, Mr. NADLER, Mr. KUYKENDALL, Mr. FILNER, Mr. LARSON and Ms. DEGETTE.

H.R. 2369: Mr. DEFAZIO.
H.R. 2376: Mr. RILEY and Mr. HASTINGS of Washington.
H.R. 2382: Mr. WELDON of Pennsylvania and Mr. BARR of Georgia.
H.R. 2405: Mr. CUMMINGS and Mr. HINOJOSA.
H.R. 2420: Ms. CARSON, Mr. WELDON of Pennsylvania, Mr. MURTHA, and Mr. OWENS.
H.R. 2544: Mr. NETHERCUTT.
H.R. 2554: Ms. PRYCE of Ohio.
H.R. 2558: Mrs. BONO.
H.R. 2569: Mr. CAMPBELL and Mr. WAXMAN.
H.R. 2628: Mr. HUTCHINSON, Mr. GREEN of Wisconsin, and Mr. HALL of Texas.
H.R. 2727: Mr. BISHOP, Mr. GREENWOOD, Mr. SAXTON, Mr. COOKSEY, and Mr. LIPINSKI.
H.R. 2749: Mr. MCINNIS, Mr. PICKETT, and Mr. SESSIONS.
H.R. 2776: Mr. GILMAN.
H.R. 2785: Mr. ROGAN, Mr. ENGEL, and Mr. FORD.
H.R. 2882: Mr. KUCINICH and Mr. THOMPSON of Mississippi.
H.R. 2888: Mr. DAVIS of Illinois.
H.R. 2902: Ms. KAPTUR, Mr. PASTOR, Mr. NADLER, Mr. GUTIERREZ, Mr. TIERNEY, and Mr. ABERCROMBIE.
H.R. 2906: Mr. TIERNEY.
H.R. 2925: Mr. SKEEN, Mr. SMITH of Texas, Mr. UPTON, and Mr. MCHUGH.
H.R. 2969: Mr. SMITH of New Jersey.
H.R. 2985: Mr. GOODE.
H.R. 2987: Mr. MORAN of Kansas and Mr. FORBES.
H.R. 2991: Mr. HALL of Texas, Mr. BENTSEN, Mr. ETHERIDGE, Mr. FLETCHER, Mr. ABERCROMBIE, Mr. THUNE, Mr. SKEEN, Mr. BARRETT of Nebraska, Mr. RILEY, and Mr. PHELPS.
H.R. 3012: Mr. GARY MILLER of California.
H.R. 3039: Mr. GILCREST, Mr. BARTLETT of Maryland, Mr. PICKETT, Mr. BORSKI, Mr. SISISKY, Mr. EHRLICH, Mr. BLILEY, Mr. WELDON of Pennsylvania, Mr. HOYER, Mr. CARDIN, Mr. HOLDEN, and Mr. MORAN of Virginia.
H.R. 3075: Mr. ADERHOLT and Mr. RADANOVICH.
H.R. 3087: Mrs. MINK of Hawaii.
H.R. 3110: Ms. PRYCE of Ohio and Mr. BILBRAY.
H.R. 3113: Mr. UDALL of New Mexico and Mr. WYNN.
H.J. Res. 39: Mr. LEWIS of Georgia, and Mr. THOMPSON of Mississippi.
H.J. Res. 70: Mr. BLILEY.
H.J. Res. 72: Mr. WATKINS, Mr. HALL of Texas, and Mr. LUCAS of Oklahoma.
H. Con. Res. 190: Mr. METCALF and Ms. LOFGREN.
H. Con. Res. 199: Mr. TURNER.
H. Res. 169: Mr. DEUTSCH, Mr. GREEN of Wisconsin, Mr. BORSKI, Mr. WAXMAN, and Mr. UNDERWOOD.
H. Res. 325: Mr. UPTON, Mr. MURTHA, Mr. ROMERO-BARCELÓ, Mr. SANDERS, Mr. SANDLIN, and Mr. WATT of North Carolina.
H. Res. 332: Mr. ROGAN.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1598: Mr. THOMPSON of California.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 6, October 5, 1999, by Mr. BONIOR on House Resolution 301 has been signed by the following Members: Peter Deutsch.