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.

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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.

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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?

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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.

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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.