

Sabo
Sanders
Sangmeister
Sarpalius
Savage
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (IA)

Spratt
Stallings
Stenholm
Stokes
Studds
Swett
Swift
Synar
Tanner
Tausin
Taylor (MS)
Thomas (GA)
Thornton
Torres
Torricelli
Traficant
Unsoeld

Valentine
Vento
Visclosky
Volkmer
Washington
Waters
Waxman
Wheat
Whitten
Williams
Wise
Wolpe
Wyden
Yates
Yatron

NAYS—153

Allard
Allen
Archer
Armey
Baker
Ballenger
Barrett
Bateman
Bentley
Bereuter
Bilirakis
Biiley
Boehlert
Boehner
Broomfield
Bunning
Burton
Callahan
Camp
Campbell (CA)
Chandler
Clinger
Coble
Coleman (MO)
Combest
Coughlin
Cox (CA)
Crane
Dannemeyer
Davis
DeLay
Doolittle
Dornan (CA)
Dreier
Duncan
Emerson
Ewing
Fawell
Fields
Fish
Franks (CT)
Gallegly
Gallo
Gekas
Gilchrist
Gillmor
Goodling
Goss
Gradison
Grandy
Green

Gunderson
Hammerschmidt
Hancock
Hansen
Hastert
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Horton
Houghton
Hunter
Inhofe
James
Johnson (CT)
Johnson (TX)
Kasich
Klug
Kolbe
Kyl
Lagomarsino
Leach
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Machtley
Marlenee
Martin
McCandless
McCrery
McCurdy
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinaro
Moorhead
Morella
Morrison
Myers
Nichols
Nussle
Orton
Owens (UT)

Oxley
Packard
Paxon
Penny
Petri
Porter
Pursell
Quillen
Ramstad
Ravenel
Regula
Rhodes
Ridge
Rinaldo
Ritter
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Santorum
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Spence
Stearns
Stump
Sundquist
Taylor (NC)
Thomas (CA)
Thomas (WY)
Upton
Vander Jagt
Vucanovich
Walsh
Weldon
Wolf
Wylie
Young (FL)
Zeliff
Zimmer

NOT VOTING—49

Ackerman
Alexander
Atkins
Bacchus
Barnard
Barton
Campbell (CO)
Chapman
Clay
Conyers
Cunningham
DeFazio
Dickinson
Dymally
Edwards (OK)
Flake
Ford (TN)

Gaydos
Gingrich
Hatcher
Hyde
Ireland
Jones (NC)
Kaptur
Kolter
Levine (CA)
Lowery (CA)
Markey
McCollum
McDade
Nagle
Neal (NC)
Perkins
Riggs

Schulze
Sharp
Smith (FL)
Solarz
Solomon
Staggers
Stark
Tallon
Towns
Traxler
Walker
Weber
Weiss
Wilson
Young (AK)

101.6 ORDER OF BUSINESS—
CONSIDERATION OF AMENDMENTS—
H.R. 4323

On motion of Mr. GOODLING, by unanimous consent,

Ordered, That during the consideration of the bill (H.R. 4323) to improve education for all students by restructuring the education system in the States, pursuant to House Resolution 551, the amendments numbered 7 and 8 in House Report No. 102-838 may each be debatable for forty minutes, equally divided and controlled by a proponent and an opponent.

101.7 NEIGHBORHOOD SCHOOLS
IMPROVEMENT

The SPEAKER pro tempore, Mr. SWIFT, pursuant to House Resolution 551 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4323) to improve education for all students by restructuring the education system in the States.

The SPEAKER pro tempore, Mr. SWIFT, by unanimous consent, designated Mr. PRICE as Chairman of the Committee of the Whole; and after some time spent therein,

101.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. ARMEY:

Strike all after the enacting clause and insert the following:

SECTION 1. NEIGHBORHOOD SCHOOLS IMPROVEMENT.

The Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) is amended—

- (1) by redesignating title X as title IX;
- (2) by redesignating sections 8001 through 8005 as 9001 through 9005; and
- (3) by inserting after title VII the following:

“TITLE VIII—NEIGHBORHOOD SCHOOLS IMPROVEMENT

“SEC. 8001. SHORT TITLE.

“This title may be cited as the ‘Neighborhood Schools Improvement Act’.

“SEC. 8002. CONGRESSIONAL FINDINGS.

“The Congress finds that—

“(1) all students can learn and must realize their potential if the United States is to prosper;

“(2) the reforms in education of the last 15 years have achieved good results, but these efforts often have been limited to a few schools or to a single part of the educational system;

“(3) additional pilot projects will have the same limited effect as previous reforms and isolated changes in policy will most likely have minimal impact;

“(4) strategies must be developed by States and communities to support the revitalization of all local schools by fundamentally changing the entire system of education through comprehensive, coherent, and coordinated improvement;

“(5) parents, teachers and other local educators, and community leaders must be involved in developing system-wide reform strategies that reflect the needs of their individual communities;

“(6) States and local educational agencies, working together, must immediately set

about developing and implementing such system-wide reform strategies if the Nation is to educate all children to meet their full potential and achieve national goals;

“(7) increasing funding for existing Federal education programs at levels that will enable them to fulfill their mission is a critical part of assisting States and local educational agencies in their school improvement efforts; and

“(8) additional Federal funds should be targeted to support State and local initiatives and to leverage State and local resources for designing and implementing system-wide reform plans.

“SEC. 8003. PURPOSE.

“It is the purpose of this title to raise the quality of education for all students by supporting a 10-year broad based public effort to promote coherent and coordinated changes in the system of education throughout the Nation at the State and local level without jeopardizing funding for existing Federal education programs.

“SEC. 8004. PROGRAM AUTHORIZED.

“The Secretary is authorized, in accordance with the provisions of this title, to make grants to State educational agencies to enable States and local educational agencies to reform and improve the quality of education throughout the Nation. Such grants shall be used to—

“(1) develop innovative educational reform plans, which include State achievement goals, a means for developing or adopting high quality, challenging curricular frameworks and coordinated curricular materials, professional development strategies, and assessment instruments; and

“(2) implement reforms and plans to improve the education system at the State and local levels.

“SEC. 8005. APPLICATION.

“(a) IN GENERAL.—If a State desires to receive assistance under this title, the State educational agency shall submit an application to the Secretary at such time, in such manner, and accompanied by such additional information as the Secretary may reasonably require. Such application shall cover a 5-year period.

“(b) CONSIDERATION OF APPLICATIONS.—Each such application shall—

“(1) contain satisfactory evidence that the State educational agency has or will have authority, by legislation if necessary, to implement the plan required under section 8006;

“(2) provide an assurance that the State has a strategy for ensuring broad participation in the planning process, including parents, students, teachers, principals, superintendents, local school board members, representatives of the employment and training network, the deans of colleges of education, representatives of community-based organizations, testing and curriculum experts, the director of the State office responsible for teacher certification, and the director of the State human services agency, to establish the goals and to refine them in the future, as well as participate in the development of all other components of the plan;

“(3) provide an assurance that the State will notify the public (including individuals with limited English proficiency), through print and electronic media and the local educational agency through actual notice—

“(A) that the State has made application for funds under this title;

“(B) of the purposes for which the funds will be used; and

“(C) that the State is developing a plan under section 8006;

“(4) provide an assurance that all students will have equal access to the curricular frameworks, high quality curricular materials, and well-qualified teachers;

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

“(5) describe actions taken and resources identified or committed to meet the requirements of this title;

“(6) provide an assurance that the applicant will prepare and submit to the Secretary, annual evaluations of and reports concerning the State program; and

“(7) provide an assurance that the State will carry out the provisions of section 8006.

“(c) APPROVAL.—The Secretary shall approve an application and any amendment to the application if the application or the amendment to such application meets the requirements of this section and is of sufficient quality to effect substantial reform of elementary and secondary education in the State. The Secretary shall not finally disapprove an application or an amendment to such application except after giving reasonable notice, technical assistance, and an opportunity for a hearing.

“(d) REAPPLICATION.—(1) A State educational agency may apply for assistance for a second 5-year period and such application shall be approved by the Secretary if the State—

“(A) has met all of its reporting requirements; and

“(B) demonstrates that it has made reasonable progress in carrying out its plan.

“(2) The Secretary shall not finally disapprove an application or an amendment to such application except after giving reasonable notice, technical assistance, and an opportunity for a hearing.

“SEC. 8006. DEVELOPMENT AND APPROVAL OF STATE PLAN.

“(a) ESTABLISHMENT OF PANEL.—Each State program assisted under this title shall establish a panel to develop a statewide reform plan. Such panel shall consist of—

“(1) the chief executive of the State (or designee);

“(2) the presiding officers and the minority leaders of the State legislature (or designees);

“(3) the chief State school officer;

“(4) the head of the office that coordinates higher education programs in the State or, if there is no such office, the head of the office designated under section 2008 of the Dwight D. Eisenhower Mathematics and Science Education Act (20 U.S.C. 2988) (or designee); and

“(5) individuals selected by the chief executive of the State, including representatives from the following groups and organizations:

“(A) Teachers.

“(B) School administrators.

“(C) Local school boards.

“(D) Parents.

“(E) Businesses.

“(F) State board of education.

“(G) Students.

“(b) ADDITIONAL MEMBERS.—(1) The first meeting of such panel shall be convened by the chief executive of the State. At such meeting, the panel members designated and nominated in subsection (a) may select additional panel members, including the chairpersons of the State legislative committees with jurisdiction over education, individuals reflecting the ethnic and racial diversity of the general population of the State, and (except in the case of a State with a single local educational agency) an individual nominated by representatives of the 5 local educational agencies with the highest number of students eligible for services under part A of chapter 1 of title I of this Act.

“(2) The membership of the panel shall be geographically representative of all areas of the State and shall not exceed 25 in number.

“(3) The chief executive of the State shall serve as the chairperson of the panel and determine a meeting schedule.

“(c) DEVELOPMENT OF STATE PLAN.—(1) The panel shall develop a plan that—

“(A) establishes State goals to maximize achievement for all children in conjunction with national educational goals;

“(B) establishes curricular frameworks in specific subject matter areas that incorporate the goals established under subparagraph (A);

“(C) provides for the development or adoption of instructional materials to assist the implementation of the curricular frameworks;

“(D) allocates resources to implement such a system-wide reform plan;

“(E) provides for the establishment or adoption of a valid, reliable, and fair assessment system based upon the curricular frameworks that is capable of accurately measuring the skills and knowledge required to meet State goals;

“(F) provides for professional development strategies necessary for achieving the State goals;

“(G) establishes a process for reviewing Federal, State, and local laws and regulations and for recommending changes in such laws and regulations to further state-wide reform;

“(H) provides a process for selecting local educational agencies for participation in local system-wide reform efforts;

“(I) provides for the development of objective criteria and measures against which the success of local plans can be evaluated;

“(J) provides for the ongoing evaluation of the effectiveness of the State plan in closing the gap between high and low achieving students to be assessed using achievement and other measures such as attendance, grade retention, and dropout rates;

“(K) provides for the availability of curricular frameworks, curricular materials, and professional development in a manner ensuring equal access by all local educational agencies in the State;

“(L) describes the steps the State educational agency shall take to ensure that successful programs and practices supported by subgrants awarded to local educational agencies under this title shall be disseminated to other local educational agencies in the State;

“(M) provides for the development of an adequate research, training, and evaluation capacity within the State to further the purposes of this title; and

“(N) describes methods of coordinating health and social services with education through State interagency cooperation and agreements.

“(2) In developing the plan, the panel shall—

“(A) emphasize outcome measures rather than prescribing how the State and local educational agencies should achieve such outcomes;

“(B) review recent innovations by other States and by national professional subject matter organizations in educational goals, curricula, and assessment nationally;

“(C) review existing Federal education programs and how they can contribute to the State plan; and

“(D) ensure broad-based participation through regular notice and dissemination of information to the public (including individuals with limited English proficiency) using print and electronic media.

“(3) Following the development of the plan, the panel shall seek public comment by—

“(A) publishing the plan with a comment period of at least 60 days, or

“(B) notifying the public through electronic and print media and conducting regional hearings.

After providing the public with an opportunity to comment on the plan, the panel shall consider the public comments and make appropriate changes.

“(4) The plan shall be submitted to the State for review and approval by the State educational agency, except that any changes to such plan shall be made with the concurrence of the panel. Prior to implementing the plan, the State educational agency shall submit such plan to the Secretary for approval. In the event that the State has previously accomplished any of the reform activities required under this title in a specific subject area or set of grade levels, the State is not required to include them in the plan but shall include a request for a waiver, including a description of such accomplishments.

“(5)(A) The Secretary shall approve a State's plan if such plan—

“(i) meets the requirements of this section; and

“(ii) provides evidence that the State has, or will have, the resources necessary to carry it out.

“(B) The Secretary shall not finally disapprove a plan or an amendment to such plan except after giving reasonable notice, technical assistance, and an opportunity for a hearing.

“(d) REVIEW OF STATE PLAN.—The panel and the State educational agency shall review on an ongoing basis, the implementation of the State plan for the period during which the State receives funding under this title. The results of such review shall be prepared in writing by the panel and included by the State in its annual report to the Secretary under section 8013(a).

“SEC. 8007. STATE USES OF FUNDS.

“(a) USES OF FUNDS.—Funds allotted by the Secretary under section 8011(a) and State and private funds contributed to make up the total cost of a State program as provided in section 8011(b) shall be used by a State with an approved application for the following purposes—

“(1) development and implementation of the State plan, including the establishment of State goals, curricular frameworks, and assessment systems;

“(2) activities of the panel (including the travel expenses of the members of such panel);

“(3) subgrants to local educational agencies;

“(4) technical assistance (including dissemination of information) to local educational agencies to assist in developing and carrying out their plans; and

“(5) evaluation, reporting, and data collection.

“(b) LOCAL EDUCATIONAL AGENCIES.—In the first year that a State receives an allotment under this title, the State educational agency may make subgrants for the purpose of developing local plans as provided in section 8008 consistent with section 8006(c)(1)(H). In the second year, and in each succeeding year, from not less than 75 percent of the total cost of a State's program, the State educational agency shall make subgrants to local educational agencies which shall include—

“(1) at least one local educational agency in each congressional district shall receive a subgrant; and

“(2) the local educational agency with the greatest number of disadvantaged children in the State shall receive a subgrant.

“SEC. 8008. DEVELOPMENT AND APPROVAL OF LOCAL PLANS.

“As described in the State reform plan, and based upon the recommendations of the panel established under section 8006, the State shall make subgrants to local educational agencies based upon a locally developed plan which—

“(1) describes the process used to ensure broad-based community participation in the development of the local plan;

“(2) provides assurance that the local educational agency shall provide for an ongoing evaluation of the effectiveness of the plan in meeting State and local goals, and that it will annually review its local plan and make changes where needed;

“(3) proposes district-wide reform which includes—

“(A) the development of a curriculum to implement the State’s frameworks;

“(B) the setting of local goals;

“(C) the identification or development of instructional materials;

“(D) the provision of teacher and administrator training; and

“(E) the identification of assessment instruments to measure progress toward meeting State and local goals.”

“SEC. 8009. LOCAL USES OF FUNDS.

“A local educational agency which receives a subgrant under this title shall use the funds for the purpose of district-wide reform, consistent with the State and local plans. Authorized activities may include—

“(1) New American Schools which reflect the best available knowledge regarding teaching and learning, which use the highest quality instructional materials and technologies, and which are designed to meet national, State, and local educational goals as well as the particular needs of their students and communities;

“(2) systems such as merit schools which reward schools with students who, as a group, demonstrate improved performance on curriculum related outcome measures that assess only basic cognitive skills accepted by States or developed in the State assessment process;

“(3) choice programs which permit parents to select the public, private, or parochial school that their children will attend; and

“(4) site-based management involving teachers, professional staff, and parents and emphasizing alternative certification to permit maximum decisionmaking at the individual school level;

“SEC. 8010. AUTHORIZATION OF APPROPRIATIONS.

“For the purpose of carrying out this title, there are authorized to be appropriated \$700,000,000 for the fiscal year 1992, and such sums as may be necessary for the fiscal years 1993 through 2001.

“SEC. 8011. ALLOTMENT OF FUNDS.

“(a) TO STATES.—(1) From funds appropriated under section 8010, the Secretary shall allot to the Secretary of the Interior for each fiscal year an amount equal to ¼ of 1 percent of the funds appropriated, not to exceed \$2,000,000 in any fiscal year, to benefit Indian students enrolled in schools funded by the Department of the Interior for Indian students. The provisions of subsection (b) of this section shall not apply to payments made under this paragraph.

“(2) From the remaining amount appropriated under section 8010, the Secretary shall make annual grants to States with approved applications based on a competitive formula established by the Department of Education.

“(b) MATCHING REQUIREMENT.—(1) The Federal share under this title may not exceed—

“(A) 100 percent of the total cost of a program for the first year for which a State receives funds under this title;

“(B) 85 percent of the total cost of a program for the second year for which a State receives funds under this title;

“(C) 60 percent of the total cost of a program for the third year for which a State receives funds under this title;

“(D) 45 percent of the total cost of a program for the fourth year for which a State receives funds under this title; and

“(E) 33 percent of the total cost of a program for the fifth and any succeeding year

for which a State receives funds under this title.

“(2) The remaining cost of a program that receives assistance under this title shall be paid by the State from State funds and may include contributions from the private sector.

“(3) The share of payments from sources other than funds appropriated under this title may be in cash or in kind fairly evaluated.

“(4) The requirements of this subsection shall not apply to the Virgin Islands, the Commonwealth of Puerto Rico, or Pacific outlying areas.

“(c) MAINTENANCE OF EFFORT.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that either the combined fiscal effort per student or the aggregate expenditures within the State with respect to the provision of free public education for the preceding fiscal year was not less than 90 percent of such combined fiscal effort or aggregate expenditures for the second preceding fiscal year.

“(d) ADMINISTRATIVE COSTS.—From its annual allotment, a State may reserve for administration (not to include the activities of the panel) an amount not to exceed 4 percent or \$250,000, whichever is greater.

“(e) ASSURANCES AND TERMS.—(1) The funds allotted to the Secretary of the Interior under subsection (a)(1) shall be made in a payment which shall be pursuant to an agreement between the Secretary and the Secretary of the Interior containing such assurances and terms as the Secretary determines will best achieve the purposes of this title. The agreement shall contain an assurance that—

“(A) a panel, as set forth in paragraph (2) of this subsection, shall be established;

“(B) a plan as required in section 8006 shall be developed by such panel; and

“(C) the provisions and activities required under sections 8006 and 8007 shall be carried out in the same time frames stipulated for the States in those sections, provided that the term ‘local educational agencies’ shall be interpreted to mean ‘schools funded by the Bureau of Indian Affairs’.

“(2) To carry out the provisions of this title, and to develop the plan required under the agreement with the Secretary required in paragraph (1), the Secretary of the Interior shall establish a panel coordinated by the Assistant Secretary of the Interior for Indian Affairs to develop a system-wide reform plan. Such panel shall consist of—

“(A) the Assistant Secretary of the Interior for Indian Affairs (or designee);

“(B) the chairpersons and ranking minority members of the Committee on Education and Labor of the House of Representatives and the Select Committee on Indian Affairs of the Senate (or their designees);

“(C) the Director of the Office of the Indian Education Programs of the bureau of Indian Affairs and such heads of divisions in such office as the Director shall designate;

“(D) a representative nominated by each of the following—

“(i) the organization representing the majority of teachers and professional personnel in Bureau-operated schools;

“(ii) the organization representing the majority of nonteaching personnel in Bureau-operated schools, if not the same organization as in clause (i);

“(iii) school administrators of Bureau-operated schools;

“(iv) education line officers located in Bureau area or agency offices serving elementary or secondary programs;

“(v) the organization representing the majority of Bureau-funded contract or grants schools not serving students on the Navajo reservation;

“(vi) the organization representing the majority of Bureau-funded contract grants schools serving students on the Navajo reservation;

“(vii) the organization representing the school boards required in Bureau-operated schools, not serving students on the Navajo reservation; and

“(viii) the organization representing the school boards required in Bureau-operated schools, serving students on the Navajo reservation.

In addition, the members of the panel stipulated above shall designate for full membership 3 tribal chairmen (or designees) or representatives of 3 national organizations which primarily represent national Indian education concerns, or a combination of these 2 classes, provided that the National Advisory Council on Indian Education, established under the Indian Education Act of 1972, Public Law 92-318 (as amended), shall not be included as an organization for consideration under this provision.

“(f) SPECIAL PROVISION.—Not less than 25 percent of the amounts made available to local educational agencies under this title shall be used for choice programs.

“SEC. 8012. AVAILABILITY OF INFORMATION AND TRAINING.

“(a) INFORMATION AND TRAINING.—Proportionate to the number of children in a State or in a local educational agency who are enrolled in private elementary or secondary schools—

“(1) a State educational agency or local educational agency which uses funds under this title to develop goals, curricular frameworks, curricular materials, and assessments shall, upon request, make information related to such goals, frameworks, materials, and assessments available to private schools; and

“(2) a State educational agency or local educational agency which uses funds under this title for teacher and administrator training shall provide in its plan for the training of teachers and administrators of private schools located in the geographical area served by such agency.

“(b) WAIVER.—If, by reason of any provisions of law, a State or local educational agency is prohibited from providing for the equitable participation of teachers and administrators from private schools in training programs assisted with Federal funds provided under this title, or if the Secretary determines that a State or local educational agency has substantially failed or is unwilling to provide for such participation, the Secretary shall waive such requirements and shall arrange for the provision of training consistent with State goals and curricular frameworks for such teachers and administrators. Such waivers shall be subject to consultation, withholding, notice, and judicial review in accordance with section 1017 of this Act.

“SEC. 8013. ANNUAL PROGRESS REPORTS: TECHNICAL ASSISTANCE.

“A State which receives funds under this title shall annually report to the Secretary—

“(1) regarding such State’s progress in meeting its goals and plan;

“(2) describing proposed activities for the succeeding year; and

“(3) describing Federal regulations which may impede reform activities under this title as described in local plans approved by the State.

“SEC. 8014. REPORT TO CONGRESS.

“The Secretary shall submit annually to the chairperson of the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate a report that contains—

“(1) a description of the progress that States receiving funds under this title have

made in developing and implementing their plans;

“(2) information from State and local reports regarding requirements in Federal law or regulation which have been identified by States and local educational agencies as impeding the system-wide reform schools under this title; and

“(3) a list by State of average per pupil expenditures reflecting the most recent data reported under section 8013(b) and reviewed under section 8013(d).

“SEC. 8015. GENERAL PROVISIONS.

“Nothing in this title shall—

“(1) supersede State law;

“(2) be construed to exempt a State or local educational agency that receives funds under this title from the requirements of subsections (a) or (b) of section 439 of the General Education Provisions Act (20 U.S.C. 1232h); or

“(3) be construed to authorize any department, agency, officer, or employee of the Federal Government to—

“(A) exercise any control over the curriculum, program of instruction, administration or personnel of any educational institution or school system; or

“(B) prescribe the use of a particular examination or standards.

“SEC. 8016. DEFINITIONS.

“For purposes of this title:

“(1) The term ‘assessment system’ means a system for measuring the abilities and academic achievement of students that is based upon a set of curricular frameworks and the expected outcomes embodied therein.

“(2) The term ‘curricular framework’ means a description, in a particular subject area, of the knowledge and skills children should acquire at each grade level.

“(3) The term ‘Pacific outlying area’ means American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau (until such time as the compact of Free Association is ratified).”

It was decided in the { Yeas 80 negative } { Nays 328

¶101.9 [Roll No. 383] AYES—80

Table listing names of representatives who voted 'AYES' for Roll No. 383, including Allard, Allen, Archer, Arme, Baker, Ballenger, Bliley, Boehner, Broomfield, Bunning, Burton, Callahan, Campbell (CA), Chandler, Clinger, Coble, Combust, Coughlin, Cox (CA), Crane, Dannemeyer, DeLay, Dickinson, Doolittle, Dornan (CA), Dreier, Duncan, Franks (CT), Gilchrest, Goss, Gradison, Grandy, Hammerschmidt, Hancock, Hansen, Hefley, Henry, Herger, Holloway, Inhofe, Johnson (TX), Kasich, Kolbe, Kyl, Lagomarsino, Lewis (FL), Lightfoot, Lipinski, Livingston, Lowery (CA), McCrery, McEwen, McMillan (NC), Michel, Miller (OH), Miller (WA), Moorhead, Nussle, Oxley, Packard, Paxon, Quillen, Ravenel, Ritter, Rohrabacher, Ros-Lehtinen, Schulze, Shaw, Shuster, Smith (TX), Spence, Stump, Sundquist, Taylor (NC), Thomas (CA), Vander Jagt, Vucanovich, Wolf, Zeliff, Zimmer.

NOES—328

Table listing names of representatives who voted 'NOES' for Roll No. 383, including Abercrombie, Alexander, Anderson, Andrews (ME), Andrews (NJ), Andrews (TX), Annunzio, Anthony, Applegate, Aspin, Atkins, AuCoin, Bacchus, Barrett, Bateman, Beilenson, Bennett, Bentley, Bereuter, Berman, Bevill, Bilbray, Bilirakis, Blackwell, Boehlert, Bonior, Borski, Boucher, Boxer, Brewster.

Table listing names of representatives who did not vote, including Brooks, Browder, Brown, Bruce, Bryant, Bustamante, Byron, Camp, Cardin, Carper, Carr, Chapman, Clement, Coleman (MO), Coleman (TX), Collins (IL), Collins (MI), Condit, Conyers, Cooper, Costello, Cox (IL), Coyne, Cramer, Darden, Davis, de la Garza, DeLauro, Dellums, Derrick, Dicks, Dingell, Dixon, Donnelly, Dooley, Dorgan (ND), Downey, Durbin, Dwyer, Early, Eckart, Edwards (CA), Edwards (OK), Edwards (TX), Emerson, Engel, English, Erdreich, Espy, Evans, Ewing, Fascell, Fawell, Fazio, Feighan, Fields, Fish, Foglietta, Ford (MI), Ford (TN), Frank (MA), Frost, Gallegly, Gallo, Gaydos, Gejdenson, Gekas, Gephardt, Geren, Gibbons, Gillmor, Gilman, Glickman, Gonzalez, Goodling, Gordon, Green, Guarini, Gunderson, Hall (OH), Hall (TX), Hamilton, Harris, Hastert, Hayes (IL), Hayes (LA), Hefner, Hertel, Hoagland, Hobson, Hochbrueckner, Horn, Horton, Houghton, Hoyer, Hubbard, Huckaby, Hughes, Hutto, Jacobs, James, Jefferson, Jenkins, Johnson (CT), Johnson (SD), Johnston, Jones (GA), Jones (NC), Jontz, Kanjorski, Kaptur, Kennedy, Kennelly, Kildee, Kleczka, Klug, Kolter, Kopetski, Kostmayer, LaFalce, Lancaster, Lantos, LaRocco, Laughlin, Leach, Lehman (CA), Lehman (FL), Lent, Levin (MI), Levine (CA), Lewis (CA), Lewis (GA), Lloyd, Long, Lowey (NY), Luken, Machtley, Manton, Marlenee, Martin, Martinez, Matsui, Mavroules, Mazzoli, McCandless, McCloskey, McCurdy, McDade, McDermott, McGrath, McHugh, McMillen (MD), McNulty, Meyers, Mfume, Miller (CA), Mineta, Mink, Moakley, Molinari, Mollohan, Montgomery, Moody, Moran, Morella, Morrison, Mrazek, Murphy, Murtha, Myers, Nagle, Natcher, Neal (MA), Neal (NC), Nichols, Nowak, Oaker, Oberstar, Obey, Olin, Olver, Ortiz, Orton, Owens (NY), Owens (UT), Pallone, Panetta, Parker, Pastor, Patterson, Payne (NJ), Payne (VA), Pease, Pelosi, Penny, Perkins, Peterson (FL), Peterson (MN), Petri, Pickett, Pickle, Porter, Poshard, Price, Pursell, Rahall, Ramstad, Rangel, Ray, Reed, Regula, Rhodes, Richardson, Ridge, Riggs, Rinaldo, Roberts, Roe, Roemer, Rogers, Rose, Rostenkowski, Roth, Roukema, Rowland, Roybal, Russo, Sabo, Sanders, Sangmeister, Santorum, Sarpalius, Savage, Sawyer, Saxton, Schaefer, Scheuer, Schiff, Schroeder, Schumer, Sensenbrenner, Serrano, Sharp, Shays, Sikorski, Sisisky, Skaggs, Skeen, Skelton, Slattery, Slaughter, Smith (FL), Smith (IA), Smith (NJ), Smith (OR), Snowe, Solarz, Spratt, Stallings, Stark, Stearns, Stenholm, Stokes, Studds, Swett, Swift, Synar, Tallon, Tauzin, Taylor (MS), Thomas (GA), Thomas (WY), Thornton, Torres, Torricelli, Traficant, Unsoeld, Upton, Valentine, Vento, Visclosky, Volkmer, Walsh, Washington, Waters, Waxman, Weldon, Wheat, Whitten, Williams, Wise, Wolpe, Wyden, Wylie, Yates, Yatron, Young (AK), Young (FL).

NOT VOTING—26

Table listing names of representatives who did not vote, including Ackerman, Barnard, Barton, Campbell (CO), Clay, Cunningham, DeFazio, Dymally, Flake, Gingrich, Hatcher, Hopkins, Hunter, Hyde, Ireland, Markey, McCollum, Solomon, Staggers, Tanner, Towns, Traxler, Walker, Weber, Weiss, Wilson.

So the amendment in the nature of a substitute was not agreed to.

After some further time,

¶101.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. GOODLING:

Strike all after the enacting clause and insert the following:

SECTION 1. PURPOSES.

The purposes of this Act are—

(1) to reconfigure the National Education Goals Panel to provide for full congressional participation;

(2) to establish a process in support of voluntary national education standards and a national system of examinations;

(3) to authorize a grants program to States and localities to encourage dramatic, new approaches to education that are likely to provide students with an opportunity to achieve the national goals;

(4) to establish a system by which States, local educational agencies, and schools can utilize Federal, State, and local education program funds in a more flexible manner in order to improve delivery and effectiveness of programs;

(5) to authorize a program of grants to States and localities to establish New American Schools; and

(6) to authorize a program of student mentoring.

SEC. 2. AUTHORIZATION OF THE NATIONAL EDUCATIONAL GOALS PANEL.

The Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) is amended—

(1) by redesignating sections 8001 through 8005 as 13001 through 13005; and

(2) by inserting after title VII the following:

“TITLE VIII—VOLUNTARY STANDARDS AND ASSESSMENT

“PART A—NATIONAL EDUCATION GOALS PANEL

“SECTION 8001. GOALS PANEL.

“(a) ESTABLISHMENT.—There is established within the Department of Education a National Education Goals Panel (referred to in this part as the ‘Panel’).

“(b) COMPOSITION.—

“(1) IN GENERAL.—The Panel shall be composed of 14 members (referred to in this part as ‘members’), including—

“(A) two members appointed by the President;

“(B) eight Governors, three of whom shall be from the same political party as the President and five of whom shall be of the opposite political party to the President, appointed by the Chairperson or Vice Chairperson of the National Governors’ Association, with each appointing individuals of such respective political party, in consultation with each other and in accordance with paragraph (2); and

“(C) four Members of Congress appointed as follows:

“(i) The majority leader of the Senate shall appoint 1 individual from among the Members of the Senate.