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| Volkmer | Wheat | Wyden |
| Vucanovich | Whitten | Wynn |
| Walker | Williams | Yates |
| Walsh | Wilson | Young (AK) |
| Watt | Wise | Young (FL) |
| Waxman | Wolf | Zeliff |
| Weldon | Woolsey | Zimmer |

NOT VOTING—18

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|------------|-----------|------------|
| Ackerman | McDade | Owens |
| Brown (CA) | McKinney | Payne (NJ) |
| Conyers | Meek | Rangel |
| Dellums | Mfume | Skaggs |
| Fawell | Murtha | Washington |
| Hall (OH) | Neal (NC) | Waters |

So the amendment was agreed to.
After some further time,

115.18 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. SHORT TITLE.

This Act may be cited as the "Parent and Student Empowerment Act".

SEC. 2. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) parents must have a greater stake in their children's schools if American education is to improve;

(2) the reforms in education prompted by the 1983 "Nation at Risk" report have achieved good results in some places, but have failed to reverse a 30-year nationwide decline in student academic achievement scores;

(3) reform should come from the bottom up, from parents, teachers, and business and community leaders, and not down from Federal or State governments;

(4) the Federal Government should give States and local communities maximum flexibility to achieve national education goals; and

(5) reform should emphasize results, not more spending.

TITLE I—NATIONAL EDUCATION GOALS

SEC. 101. PURPOSE.

It is the purpose of this title to recognize six national education goals.

SEC. 102. INTERPRETATION.

Nothing in this title shall be construed to authorize or encourage Federal control over, involvement in, or regulation of public, private, religious, or home schools, or any curricular framework, instructional material, examination, or assessment system during the 5-year authorization of this Act or at any future time.

SEC. 103. NATIONAL EDUCATION GOALS.

The Congress declares that the national education goals are the following:

(1) SCHOOL READINESS.—(A) By the year 2000, all children in America will start school ready to learn.

(B) The objectives for this goal are that—

(i) all disadvantaged and disabled children will have access to high-quality and developmentally appropriate preschool programs that help prepare children for school;

(ii) every parent in America will be a child's first teacher and devote time each day to helping his or her preschool child learn, and parents will have access to the training and support they need; and

(iii) children will receive the nutrition and health care needed to arrive at school with healthy minds and bodies, and the number of low-birthweight babies will be significantly reduced through enhanced prenatal health systems.

(2) SCHOOL COMPLETION.—(A) By the year 2000, the high school graduation rate will increase to at least 90 percent.

(B) The objectives for this goal are that—

(i) the Nation must dramatically reduce its dropout rate, and 75 percent of students who do drop out will successfully complete a high school degree or its equivalent; and

(ii) the gap in high school graduation rates between American students from minority backgrounds and their non-minority counterparts will be eliminated.

(3) STUDENT ACHIEVEMENT AND CITIZENSHIP.—(A) By the year 2000, American students will leave grades 4, 8, and 12 having demonstrated competency in challenging subject matter including English, mathematics, science, history, and geography, and every school in America will ensure that all students learn to use their minds well, so they may be prepared for responsible citizenship, further learning, and productive employment in our modern economy.

(B) The objectives for this goal are that—

(i) the academic performance of elementary and secondary students will increase significantly in every quartile, and the distribution of minority students in each level will more closely reflect the student population as a whole;

(ii) the percentage of students who demonstrate the ability to reason, solve problems, apply knowledge, and write and communicate effectively will increase substantially;

(iii) all students will be involved in activities that promote and demonstrate good citizenship, community service, and personal responsibility;

(iv) the percentage of students who are competent in more than one language will substantially increase; and

(v) all students will be knowledgeable about the diverse cultural heritage of this Nation and about the world community.

(4) MATHEMATICS AND SCIENCE.—(A) By the year 2000, United States students will be first in the world in mathematics and science achievement.

(B) The objectives for this goal are that—

(i) math and science education will be strengthened throughout the system, especially in the early grades;

(ii) the number of teachers with a substantive background in mathematics and science will increase by 50 percent; and

(iii) the number of United States undergraduate and graduate students, especially women and minorities, who complete degrees in mathematics, science, and engineering will increase significantly.

(5) ADULT LITERACY AND LIFELONG LEARNING.—(A) By the year 2000, every adult American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

(B) The objectives for this goal are that—

(i) every major American business will be involved in strengthening the connection between education and work;

(ii) all workers will have the opportunity to acquire the knowledge and skills, from basic to highly technical, needed to adapt to emerging new technologies, work methods, and markets through public and private educational, vocational, technical, workplace, or other programs;

(iii) the number of quality programs, including those at libraries, that are designed to serve more effectively the needs of the growing number of part-time and midcareer students will increase substantially;

(iv) the proportion of those qualified students, especially minorities, who enter college, who complete at least two years, and who complete their degree programs will increase substantially; and

(v) the proportion of college graduates who demonstrate an advanced ability to think critically, communicate effectively, and solve problems will increase substantially.

(6) SAFE, DISCIPLINED, AND DRUG-FREE SCHOOLS.—(A) By the year 2000, every school in America will be free of drugs and violence and will offer a disciplined environment conducive to learning.

(B) The objectives for this goal are that—

(i) every school will implement a firm and fair policy on use, possession, and distribution of drugs and alcohol;

(ii) parents, businesses, and community organizations will work together to ensure that the schools are a safe haven for all children; and

(iii) every school district will develop a comprehensive K-12 drug and alcohol prevention education program. Drug and alcohol curriculum should be taught as an integral part of health education. In addition, community-based teams should be organized to provide students and teachers with needed support.

TITLE II—SCHOOL REFORM AND PARENT EMPOWERMENT

SEC. 201. PURPOSE.

The purpose of this title is to raise the quality of education for all American students by spurring a 5-year effort to promote dramatic and effective changes in the system of elementary and secondary education throughout the Nation.

SEC. 202. 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. Such grants shall be used to develop and implement innovative educational reform plans.

SEC. 203. 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 State reform plan required under section 204;

(2) provide an assurance that the State has a strategy for ensuring broad participation in the planning process, including parents, students, teachers, business leaders, and other community leaders;

(3) provide an assurance that the State will notify the public through print and electronic media and all local educational agencies 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 reform plan under section 204;

(4) provide an assurance that all students shall have equal access to the curricular frameworks and instructional materials developed as part of the State reform plan;

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

(6) provide an assurance that the applicant shall prepare and submit to the Secretary annual evaluations of and reports concerning the State reform plan; and

(7) provide an assurance that the State shall carry out the provisions of section 204.

(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 re-

quirements 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 amendment, except after giving reasonable notice, technical assistance, and an opportunity for a hearing.

SEC. 204. DEVELOPMENT AND APPROVAL OF STATE PLAN.

(a) **ESTABLISHMENT OF STATE REFORM PANEL.**—Each State educational agency assisted under this title shall establish a temporary ad hoc panel to develop a statewide reform plan. Such panel shall consist of—

(1) a chairman, who shall be the chief executive of the State (or designee);

(2) the presiding officer and the minority leader of each house 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) Parents.
- (B) Teachers.
- (C) Principals.
- (D) Local school boards.
- (E) Small businesses.
- (F) Large businesses.

(b) **ADDITIONAL MEMBERS.**—(1) The first meeting of the State reform panel shall be convened by the chief executive of the State. At such meeting, the panel members designated or selected under subsection (a) may select additional panel members.

(2) The membership of the panel shall not exceed 25 in number.

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

(c) **DEVELOPMENT OF STATE PLAN.**—The State reform panel shall develop a State reform plan that—

(1) stresses that all students are to demonstrate substantial improvement in academic achievement and cognitive skills;

(2) emphasizes quantifiable measures of the improvement of students' cognitive skills rather than prescribing how State and local educational agencies should achieve such improvements;

(3) describes strategies for how the State will encourage parents and the public to support and become involved in implementing the State and local reform plans;

(4) establishes State goals to maximize academic achievement by each student;

(5) establishes academically rigorous curricular frameworks;

(6) provides for the development of instructional materials based upon the curricular frameworks;

(7) provides for the development of valid, reliable, and procedurally fair assessment systems based upon the curricular frameworks that are capable of accurately measuring the basic cognitive skills and knowledge required to meet the State's education goals;

(8) 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;

(9) provides a process for selecting local educational agencies to receive subgrants under section 206;

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

(11) provides for the evaluation of the effectiveness of the State reform plan in help-

ing low-achieving students to improve their performance, using academic achievement and such other measures as attendance, grade retention, and dropout rates.

(e) **PUBLIC COMMENT PERIOD.**—Following the development of the State reform plan, the State reform panel shall seek public comment by—

(1) publishing the plan with a comment period of at least 60 days, and

(2) 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's comments and make appropriate changes.

(f) **APPROVAL OF STATE PLAN.**—(1) The State reform plan shall be submitted to the State for review by the State educational agency, which may make recommendations to the panel for changes to such plan. The State educational agency shall then implement the plan after such agency has submitted the plan to, and received approval of the plan by, the Secretary.

(2) The Secretary shall approve a State reform plan if the plan meets the requirements of this section.

(3) 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.

(g) **REVIEW OF STATE PLAN.**—The State reform panel and the State educational agency shall review on a continuing basis the implementation of the State reform plan for the period during which the State receives Federal funding under this title. The results of such review shall be prepared in writing by the State reform panel and be included by the State in its annual report to the Secretary under section 213(a).

SEC. 205. STATE USES OF FUNDS.

(a) **USES OF FUNDS.**—Funds allotted by the Secretary under paragraphs (a) and (b) of section 211 and State and private funds contributed to make up the total cost of a State reform plan under section 211(c) shall be used by a State with an approved application for the following purposes:

(1) To develop and implement the State reform plan (with not more than 10 percent of the Federal funds shall be used for this purpose).

(2) To support the activities of the State reform panel (including the travel expenses of the members of such panel).

(3) To make subgrants to local educational agencies as provided in section 206.

(4) To provide technical assistance (including dissemination of information) to local educational agencies to assist in developing and carrying out local reform plans.

(5) To undertake evaluation, reporting, and data collection.

(b) **SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.**—In the first year that a State receives a Federal allotment under this title, from not less than 75 percent of the total cost of a State's reform plan, the State educational agency shall make subgrants to local educational agencies for the purpose of developing and implementing local reform plans as provided in section 206. In the second and succeeding years, from not less than 90 percent of the total cost of a State's reform plan, the State educational agency shall make subgrants to local educational agencies to fulfill the purposes of this Act.

SEC. 206. DEVELOPMENT AND APPROVAL OF LOCAL PLANS.

(a) **IN GENERAL.**—As described in the State reform plan, and based upon the recommendations of the State reform panel established under section 204, the State shall make subgrants to local educational agen-

cies based upon local reform plans consistent with the State reform plan and developed by temporary ad hoc local reform panels.

(b) **ESTABLISHMENT OF LOCAL REFORM PANEL.**—Each local educational agency assisted under this title shall establish a temporary ad hoc local reform panel to develop a district-wide reform plan consistent with the State reform plan. Such panel shall consist of—

(1) a chairman, who shall be the highest-ranking elected chief executive in the local jurisdiction most closely approximating the boundaries of the school district (or designee), and who is not also a member of any other local educational reform panel;

(2) the chief district-wide school officer; and

(3) individuals selected by the chairman of the local reform panel, including representatives from the following groups and organizations:

- (A) Parents.
- (B) Teachers.
- (C) The local school board.
- (D) Small businesses.
- (E) Large businesses.

(c) **ADDITIONAL MEMBERS.**—(1) The panel members designated or selected in subsection (b) may select additional panel members from community organizations.

(2) The membership of the panel shall not exceed 11 in number.

(3) The chairman of the panel shall determine a meeting schedule.

(d) **APPROVAL OF LOCAL REFORM PLAN.**—The local educational agency shall implement the local reform plan after the local reform panel has submitted its plan to the Secretary and received written confirmation from the Secretary that its plan is consistent with the State reform plan.

SEC. 207. 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 reform plans. Authorized activities shall include one or more of the following:

(1) Model schools, including charter 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 State and local education goals as well as the particular needs of their students and communities.

(2) Merit schools systems which reward schools with students who, as a group, demonstrate improved performance on curriculum-related outcome measures that assess only basic cognitive skills.

(3) Choice programs which permit parents to select the school their children will attend.

(4) Decentralized management which permits maximum decision making at the individual school level, involves parents, and emphasizes alternative certification.

SEC. 208. PROHIBITED USES OF FUNDS.

No State educational agency, local educational agency, or school that receives funds under this Act shall—

(1) adopt outcome measures that assess affective skills; or

(2) engage in programs that coordinate access to health care or other social services.

SEC. 209. PARENTAL CONSENT.

(a) **PSYCHOLOGICAL TESTING.**—No funds under this title shall be made available to any State educational agency, local educational agency, or school in which psychiatric or psychological examination, testing, or treatment, or any project that involves surveying, analyzing, or evaluating the personal values, attitudes, beliefs, or sexual behavior of the student, take place, without the prior, written consent of the student

(if the student is an adult or an emancipated minor), or in the case of an unemancipated minor, without the prior, written consent of a parent or guardian who has been first informed of the purpose of such examination, test, treatment, or information sought to be obtained.

(b) PRIVACY.—No funds under this title shall be made available to any State educational agency, local educational agency, or school that lacks a written policy to protect the right of parents (or student, if the student is an adult or an emancipated minor) to—

(1) inspect or review at any time any and all official records directly related to such student, including all written or electronically recorded material that is incorporated into the student's cumulative record folder, identifying data, academic work completed, grades, standardized achievement test scores, attendance data, scores on standardized intelligence, aptitude, or psychological tests, interest inventory results, health data, medical records, family background information, teacher or counselor ratings and observations, and verified reports of serious or recurrent behavior patterns; and

(2) forbid the release of such student's official records, without the parents' (or student's, if the student is an adult or an emancipated minor) prior written consent, to any other than—

(A) school officials within the student's school or local educational agency who have a legitimate educational interest;

(B) officials of other schools or school systems in which the student intends to enroll, upon condition that the student's parents (or the student, if the student is an adult or an emancipated minor) be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge and correct the content of the record; or

(C) in connection with a student's application for, or receipt of, financial aid.

(c) OPT-OUT RIGHT.—No funds under this title shall be made available to any State educational agency, local educational agency, or school that lacks a written policy to protect the right of parents (or student, if the student is an adult or emancipated minor) to withdraw the student from participation in any activity carried out as part of the State or local reform plan when the parents (or student, if the student is an adult or an emancipated minor) consider such activity to be detrimental to the student's education.

(d) GRACE PERIOD.—Any State educational agency, local educational agency, or school that receives funds under this title shall have a grace period not to exceed 6 months from the date that such funds are first made available to write the parental consent policies required under subsections (b) and (c).

SEC. 210. WAIVERS OF STATUTORY AND REGULATORY REQUIREMENTS.

(a) IN GENERAL.—To fulfill the purposes of this Act, the Secretary may waive any requirement of any Federal statute listed in subsection (g) or of the regulations issued under such statute for a State educational agency, local educational agency, or school that requests such a waiver.

(b) PROMPTNESS OF RESPONSE TO WAIVER REQUEST.—The Secretary shall act on any such waiver request not later than 180 days after receipt or the waiver shall be considered granted.

(c) WAIVER PERIOD.—Each such waiver shall be for a period not to exceed 3 years. The Secretary may extend such period if the Secretary determines that the waiver has been effective in enabling the State or local educational agency to fulfill the purposes of this Act.

(d) WAIVER REVIEW.—The Secretary shall periodically review the performance of any State educational agency, local educational agency, or school for which the Secretary has granted a waiver and shall terminate the waiver if the Secretary determines that such performance has been inadequate to justify the waiver's continuation.

(e) EXCEPTION.—Nothing in this section shall be construed to authorize the waiver of section 438 or 439 of the General Education Provisions Act.

(f) SPECIAL PROVISION.—Nothing in this section shall be construed to authorize the waiver of any provision of this Act.

(g) PROGRAMS SUBJECT TO WAIVER.—The statutes subject to the waiver authority of this section are as follows:

(1) Chapter 1 of title I of the Elementary and Secondary Education Act of 1965.

(2) Part A of chapter 2 of title I of the Elementary and Secondary Education Act of 1965.

(3) The Dwight D. Eisenhower Mathematics and Science Education Act (part A of title II of the Elementary and Secondary Education Act of 1965).

(4) The Emergency Immigrant Education Act of 1984 (part D of title IV of the Elementary and Secondary Education Act of 1965).

(5) The Drug-Free Schools and Communities Act of 1986 (title V of the Elementary and Secondary Education Act of 1965).

(6) The Carl D. Perkins Vocational and Applied Technology Education Act.

(h) WAIVERS NOT AUTHORIZED.—The Secretary may not waive any statutory or regulatory requirement of the programs listed in subsection (g) relating to—

- (1) maintenance of effort;
- (2) comparability of services;
- (3) the equitable participation of students and professional staff in private schools;
- (4) parental participation and involvement; or
- (5) the distribution of funds to State or to local educational agencies.

SEC. 211. ALLOTMENT OF FUNDS.

(a) TO THE SECRETARY OF THE INTERIOR.—From funds appropriated under section 218, the Secretary shall allot to the Secretary of the Interior for each fiscal year an amount equal to ½ of 1 percent of the funds appropriated, not to exceed \$600,000 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 (c) of this section shall not apply to payments made under this paragraph.

(b) TO THE STATES.—From the remaining amount appropriated under section 218, the Secretary shall make annual grants to States with approved applications.

(c) MATCHING REQUIREMENT.—(1) Of the total cost of a State reform plan, during the following years for which a State receives funds under this title, the Federal share under this title may not exceed—

- (A) 100 percent the first year;
- (B) 85 percent the second year;
- (C) 60 percent the third year;
- (D) 45 percent the fourth year; and
- (E) 33 percent the fifth and any succeeding year.

(2) The non-Federal share under this title shall be paid by the State from State funds and may include contributions from private sources.

(3) The non-Federal share under this title may be in cash or in kind fairly evaluated.

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

(d) ADMINISTRATIVE COSTS.—From its annual Federal allotment, a State may reserve for administration (not to include the activities of the State reform panel) an amount

not to exceed 4 percent or \$250,000, whichever is greater.

(e) 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. 212. AVAILABILITY OF INFORMATION TO NONPUBLIC SCHOOLS.

Proportionate to the number of children in a State or in a local educational agency who are enrolled in private elementary or secondary schools, a State educational agency or local educational agency that uses funds under this title to develop curricular frameworks, instructional materials, examinations, or assessment systems shall, upon request, make information related to such frameworks, materials, examinations, or assessment systems available to private schools and private school accrediting organizations.

SEC. 213. ANNUAL PROGRESS REPORTS; TECHNICAL ASSISTANCE.

(a) ANNUAL REPORT.—A State which receives funds under this title shall annually report to the Secretary—

(1) regarding such State's progress in meeting its State reform 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 reform plans approved by the Secretary.

(b) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance, either directly by grant or by contract, to the States to assist them in complying with the requirements of this section. The Secretary may reserve up to ½ of 1 percent of the appropriations for this title to carry out this section.

SEC. 214. EVALUATION AND DISSEMINATION.

(a) EVALUATION.—The Secretary shall evaluate a representative sample of State and local reform efforts over the course of the 5-year authorization in order to assess the effectiveness of such plans and activities in improving the education performance of all students. The Secretary may reserve up to ½ of 1 percent of the appropriations for this title to carry out this section.

(b) DISSEMINATION.—The Secretary shall, annually and upon request, disseminate to the States information on reform approaches and materials developed under this title or through related efforts.

SEC. 215. REPORT TO CONGRESS.

The Secretary shall submit annually to the Members 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; and

(2) information from State and local reports regarding requirements in Federal law or regulation which have been identified by State or local educational agencies or State or local reform panels as impeding the purposes of this Act.

SEC. 216. GENERAL PROVISIONS.

Nothing in this title shall—

(1) be construed to exempt a State or local educational agency that receives funds under this title from the requirements of section 438 or 439 of the General Education Provisions Act;

(2) 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; or
(3) be construed to authorize or encourage Federal control over, involvement in, or regulation of private, religious, or home schools during the 5-year authorization of this Act or at any future time.

SEC. 217. DEFINITIONS.

For purposes of this title:
(1) The term "affective skills" means, but is not limited to meaning, the emotions, opinions, values, attitudes, beliefs, or sexual behavior of a student.
(2) The term "assessment system" means a system for measuring the cognitive skills and academic achievement of students that is based upon a set of curricular frameworks.
(3) The term "cognitive skills" means abilities to perform discrete academic tasks that demonstrate understanding of such basic subjects as reading, writing, mathematics, science, history, and geography, and that may be readily assessed, measured, and compared in objective and numerically quantifiable terms, but does not mean affective skills.

(4) The term "community organizations" means, but is not limited to meaning, fraternal or religious organizations, but does not mean organizations created for the purpose of, or having as their primary effect, the influencing of education or education policy.
(5) The term "curricular framework" means a specific, detailed description, in a particular subject matter area, of the knowledge and cognitive skills children should acquire at each grade level.

(6) The term "legitimate educational interest" means an interest in a student's cognitive skills and academic progress, but does not mean an interest in a student's affective skills, psychology, family, or other nonacademic matter.

(7) 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).

(8) The term "private school" means nonpublic or religious education.

(9) The term "school" means public, private, or religious education.

(10) The term "Secretary" means the Secretary of Education.

(11) The term "State" means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(12) The terms "State educational agency" and "local educational agency" have the meaning given such terms in section 1471 of the Elementary and Secondary Education Act of 1965.

SEC. 218. AUTHORIZATION OF APPROPRIATIONS.

For the purpose of carrying out this title, there are authorized to be appropriated \$400,000,000 for each of the fiscal years 1994 through 1998.

It was decided in the Yeas 130
negative Nays 300

115.19 [Roll No. 494]
AYES—130

Table with 3 columns of names: Allard, Archer, Arney, Bachus (AL), Baker (CA), Baker (LA), Ballenger, Bartlett, Barton, Bateman, Biley, Boehner, Bonilla, Bunning, Burton, Buyer, Callahan, Calvert, Camp, Canady, Coble, Collins (GA), Combust, Cox, Crane, Crapo, Cunningham, DeLay, Diaz-Balart, Dickey, Doolittle, Dornan, Dreier, Duncan, Dunn, Emerson, Everett, Ewing, Fields (TX), Fowler, Franks (CT), Gallegly, Gingrich, Goodlatte, Goss, Grams, Greenwood, Hall (TX), Hancock, Hansen, Hastert, Emerson, Everett, Ewing, Fields (TX), Fowler, Franks (CT), Gallegly, Gingrich, Goodlatte, Goss, Grams, Greenwood, Hall (TX), Hancock, Hansen, Hastert, Emerson, Everett, Ewing, Fields (TX), Fowler, Franks (CT), Gallegly, Gingrich, Goodlatte, Goss, Grams, Greenwood, Hall (TX), Hancock, Hansen, Hastert

Table with 2 columns of names: Hefley, Heger, Hoekstra, Hoke, Huffington, Hunter, Hutchinson, Hyde, Inglis, Inhofe, Istook, Johnson (CT), Johnson, Sam, Kasich, Kim, King, Kingston, Knollenberg, Kolbe, Kyl, Lazio, Levy, Lewis (CA), Lewis (FL), Lightfoot, Linder, Livingston, Manzullo, McCandless, McCollum, McClery, McInnis, McKeon, McMillan, Mica, Michel, Miller (FL), Moorhead, Nussle, Oxley, Packard, Paxon, Pombo, Portman, Pryce (OH), Quillen, Quinn, Ravenel, Ridge, Roberts, Rohrabacher, Ros-Lehtinen, Roth, Royce, Schaefer, Schiff, Sensenbrenner, Shaw, Shays, Shuster, Skeen, Smith (MI), Smith (OR), Smith (TX), Solomon, Spence, Stearns, Stump, Sundquist, Talent, Taylor (NC), Vucanovich, Walker, Walsh, Weldon, Wolf, Young (FL), Zelfig, Zimmer

NOES—300

Table with 2 columns of names: Abercrombie, Andrews (ME), Andrews (NJ), Andrews (TX), Applegate, Bacchus (FL), Baesler, Barca, Barcia, Barlow, Barrett (NE), Barrett (WI), Becerra, Beilenson, Bentley, Bereuter, Berman, Beville, Bilbray, Bilirakis, Bishop, Blackwell, Blute, Boehlert, Bonior, Boucher, Brewster, Brooks, Browder, Brown (CA), Brown (FL), Brown (OH), Bryant, Byrne, Cantwell, Cardin, Carr, Castle, Chapman, Clay, Clayton, Clement, Clinger, Clyburn, Coleman, Collins (IL), Collins (MI), Condit, Conyers, Cooper, Coppersmith, Costello, Coyne, Cramer, Danner, Darden, de la Garza, de Lugo (VI), Deal, DeFazio, DeLauro, Dellums, Derrick, Deutsch, Dicks, Dingell, Dixon, Dooley, Durbin, Edwards (CA), Edwards (TX), Engel, English (AZ), English (OK), Eshoo, Evans, Faleomavaega (AS), Farr, Fawell, Fazio, Fields (LA), Filner, Fingerhut, Fish, Flake, Foglietta, Ford (MI), Ford (TN), Frank (MA), Franks (NJ), Frost, Furse, Gallo, Gejdenson, Gekas, Gephardt, Geren, Gibbons, Gilchrest, Gillmor, Gilman, Clickman, Gonzalez, Goodling, Gordon, Grandy, Green, Gunderson, Gutierrez, Hall (OH), Hamburg, Hamilton, Harman, Hastings, Hayes, Hefner, Hilliard, Hinchey, Hoagland, Hobson, Hochbrueckner, Costello, Coyne, Cramer, Danner, Darden, de la Garza, de Lugo (VI), Deal, DeFazio, DeLauro, Dellums, Derrick, Deutsch, Dicks, Dingell, Dixon, Dooley, Durbin, Edwards (CA), Edwards (TX), Klug, Kopetski, Kreidler, LaFalce, Lambert, Lancaster, Lantos, LaRocco, Laughlin, Leach, Lehman, Levin, Lewis (GA), Lipinski, Lloyd, Long, Lowey, Machtley, Maloney, Mann, Manton, Margolies-Mezvinsky, Markey, Martinez, Matsui, Mazzoli, McCloskey, McCurdy, McDermott, McHale, McHugh, McKinney, McNulty, Meehan, Meek, Menendez, Meyers, Mfume, Miller (CA), Mineta, Minge, Mink, Moakley, Mollinari, Mollohan, Montgomery, Moran, Morella, Murphy, Myers, Nadler, Natcher, Neal (DC), Norton (DC), Oberstar, Obey, Olver, Ortiz, Orton, Owens, Pallone, Parker, Pastor, Payne (NJ), Payne (VA), Pelosi, Penny, Peterson (FL), Peterson (MN), Klink, Klug, Kopetski, Kreidler, LaFalce, Lambert, Lancaster, Lantos, LaRocco, Laughlin, Leach, Lehman, Levin, Lewis (GA), Lipinski, Lloyd, Long, Lowey, Machtley, Maloney, Mann, Manton, Margolies-Mezvinsky, Markey, Martinez, Matsui, Mazzoli, McCloskey, McCurdy, McDermott, McHale, McHugh, McKinney, McNulty, Meehan, Meek, Menendez, Meyers, Mfume, Miller (CA), Mineta, Minge, Mink, Moakley, Mollinari, Mollohan, Montgomery, Moran, Morella, Murphy, Myers, Nadler, Natcher, Neal (DC), Norton (DC), Oberstar, Obey, Olver, Ortiz, Orton, Owens, Pallone, Parker, Pastor, Payne (NJ), Payne (VA), Pelosi, Penny, Peterson (FL), Peterson (MN)

Table with 2 columns of names: Petri, Pickett, Pickle, Pomeroy, Porter, Poshard, Price (NC), Rahall, Ramstad, Rangel, Reed, Regula, Reynolds, Richardson, Roemer, Rogers, Rose, Rostenkowski, Roukema, Rowland, Roybal-Allard, Rush, Sabo, Sanders, Sangmeister, Santorum, Sarpalus, Sawyer, Saxton, Schenk, Schroeder, Schumer, Scott, Serrano, Sharp, Shepherd, Sisisky, Skaggs, Slattery, Slaughter, Smith (IA), Smith (NJ), Snowe, Spratt, Stark, Stenholm, Stokes, Strickland, Studds, Stupak, Swett, Swift, Synar, Tanner, Tauzin, Taylor (MS), Tejeda, Thomas (CA), Thomas (WY), Thompson, Thornton, Thurman, Torkildsen, Torres, Torricelli, Towns, Trafficant, Tucker, Unsoeld, Upton, Valentine, Velazquez, Vento, Visclosky, Volkmer, Washington, Waters, Watt, Waxman, Wheat, Whitten, Williams, Wilson, Wise, Woolsey, Wyden, Wynn, Yates, Young (AK)

NOT VOTING—8

Table with 3 columns of names: Ackerman, Borski, McDade, Murtha, Neal (NC), Romero-Barcelo (PR), Skelton, Underwood (GU)

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

After some further time, The SPEAKER pro tempore, Mr. DURBIN, assumed the Chair.

When Mrs. CLAYTON, Chairman, pursuant to House Resolution 274, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

Mr. LINDER demanded a separate vote on the amendment on page 75, line 21 [the GOODLING amendment].

The question being put, viva voce,

Will the House agree to the following amendment on which a separate vote had been demanded?

Page 75, after line 21, insert the following (and redesignate the subsequent subsections accordingly):

(m) PROHIBITION ON FEDERAL MANDATES, DIRECTION, AND CONTROL.—Nothing in this section shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, or allocation of State and local resources.

The SPEAKER pro tempore, Mr. DURBIN, announced that the yeas had it.

Mr. LINDER demanded a recorded vote on agreeing to said amendment, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the Yeas 424
affirmative Nays 0

115.20 [Roll No. 495]

AYES—424

Table with 3 columns of names: Abercrombie, Allard, Andrews (ME), Andrews (NJ), Andrews (TX), Applegate, Archer, Arney, Bacchus (FL), Bachus (AL), Baesler, Baker (CA), Baker (LA), Ballenger, Barca, Barcia, Barlow, Barrett (NE), Barrett (WI), Bartlett, Barton