OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
*Washington, DC, September 22, 2000.*

Hon. J. DENNIS HASTERT,
*The Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on September 22, 2000 at 12:42 p.m. and said to contain a message from the President whereby he notifies the Congress that he has extended the national emergency with respect to Angola (UNITA) beyond September 26, 2000, by Notice filed earlier with the Federal Register.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
*Clerk of the House.*

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## CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO UNITA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106–294)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the emergency declared with respect to the National Union for the Total Independence of Angola (UNITA) is to continue in effect beyond September 26, 2000, to the *Federal Register* for publication.

The circumstances that led to the declaration on September 26, 1993, of a national emergency have not been resolved. The actions and policies of UNITA pose a continuing unusual and extraordinary threat to the foreign policy of the United States. United Nations Security Council Resolutions 864 (1993), 1127 (1997), 1173 (1998), and 1176 (1998) continue to oblige all member states to maintain sanctions. Discontinuation of the sanctions would have a prejudicial effect on the prospects for peace in Angola. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to apply economic pressure on UNITA to reduce its ability to pursue its military operations.

WILLIAM J. CLINTON.
THE WHITE HOUSE, *September 22, 2000.*

## RECOGNIZING THE MINING INDUSTRY

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

Mr. GIBBONS. Mr. Speaker, last Tuesday, the Nevada Mining Association and two government agencies began closing the final 8 of 13 abandoned mine sites in Clark County, Nevada.

Six private mining companies are picking up 100 percent of the cost of making these abandoned shafts and caverns inaccessible and safe. The first five abandoned mines were backfilled 2 weeks ago, and these efforts show the willingness and the capability of our Nation's mining companies to work with the Federal and State governments to protect the public from any danger proposed by abandoned mines.

Mr. Speaker, our mining companies are dedicated to working with the government to protect the environment. We should encourage these efforts and support the mining industry in the United States. By supporting our mining industry, we will ensure that all Americans can maintain the quality of life style to which they have become accustomed, including advancements in medical research technology and communications.

Mr. Speaker, mining impacts our lives every day and in every way. And as the old saying goes, ''If it can't be grown, it has to be mined.''

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## RUSSIA AND CHINA JOIN FORCES

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

Mr. TRAFICANT. Mr. Speaker, surprise, surprise. A new report says that even though Uncle Sam gave Russia $112 billion over the last 10 years, Russia and China are joining forces. The report says Russia sold missiles and submarines to China knowing full well that China would point those missiles at America. Now, if that is not enough to make you barf right here, the report further says that Russia will support China if Uncle Sam intervenes in Taiwan.

Unbelievable. What is even worse? While all this was going on, Janet Reno was investigating Monica Lewinsky. Beam me up. Congress better wake up and smell the treason around here.

I yield back the fact that Chinagate makes Watergate look like a toilet bowl commercial.

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## IT IS TIME FOR HATE CRIMES LEGISLATION

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

Ms. NORTON. Mr. Speaker, last Friday a man named Edward Gay marched into a gay bar, killed a man, and wounded six others. He said he was tired of people making fun of his last name: Gay. No joke. He said he wanted to get rid of faggots.

What happened in that gay bar last Friday was the exact equivalent of lynchings, common in the South in the first half of this century. This House never passed an anti-lynching law. And there was no hate crimes in Texas when James Byrd, a black man, was dragged behind a truck to his death. George W. Bush opposed a hate crimes law in Texas.

James Byrd gave us all the reasons we ever needed for a Federal hate crimes law. Edward Gay's act of murder against gays is a mandate to pass the hate crimes act now. Bring it to the floor, Mr. Speaker.

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## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Such record votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 6 p.m. today.

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## TWENTY-FIFTH ANNIVERSARY OF EDUCATION FOR ALL HANDICAPPED CHILDREN ACT

Mr. GOODLING. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 399) recognizing the 25th anniversary of the enactment of the Education for All Handicapped Children Act of 1975.

The Clerk read as follows:

H. CON. RES. 399

Whereas the Education for All Handicapped Children Act of 1975 (Public Law 94–142) was signed into law 25 years ago on November 29, 1975, and amended the State grant program under part B of the Education of the Handicapped Act;

Whereas the Education for All Handicapped Children Act of 1975 established the Federal policy of ensuring that all children, regardless of the nature or severity of their disability, have available to them a free appropriate public education in the least restrictive environment;

Whereas the Education of the Handicapped Act was further amended by the Education of the Handicapped Act Amendments of 1986 (Public Law 99–457) to create a preschool grant program for children with disabilities 3 to 5 years of age and an early intervention program for infants and toddlers with disabilities from birth through age 2;

Whereas the Education of the Handicapped Act Amendments of 1990 (Public Law 101–476) renamed the statute as the Individuals with Disabilities Education Act (IDEA);

Whereas IDEA currently serves an estimated 200,000 infants and toddlers, 600,000 preschoolers, and 5,400,000 children 6 to 21 years of age;

Whereas IDEA has assisted in a dramatic reduction in the number of children with developmental disabilities who must live in State institutions away from their families;

Whereas the number of children with disabilities who complete high school has grown significantly since the enactment of IDEA;

Whereas the number of children with disabilities who enroll in college as freshmen has more than tripled since the enactment of IDEA;

Whereas IDEA has raised the Nation's expectations about the abilities of children with disabilities by requiring access to the general education curriculum;

Whereas improvements to IDEA made in 1997 changed the focus of a child's individualized education program from procedural requirements placed upon teachers and related services personnel to educational results for that child, thus improving academic achievement;

Whereas changes made in 1997 also addressed the need to implement behavioral assessments and intervention strategies for children whose behavior impedes learning to ensure that they receive appropriate supports in order to receive a quality education;

Whereas IDEA ensures full partnership between parents of children with disabilities and education professionals in the design and implementation of the educational services provided to children with disabilities;

Whereas IDEA has supported the classrooms of this Nation by providing Federal resources to the States and local schools to help meet their obligation to educate all children with disabilities;

Whereas, while the Federal Government has not yet met its commitment to fund part B of IDEA at 40 percent of the average per pupil expenditure, it has made significant increases in part B funding by increasing the appropriation by 115 percent since 1995, which is an increase of over $2,600,000,000;

Whereas the 1997 amendments to IDEA increased the amount of Federal funds that have a direct impact on students through improvements such as capping allowable State administrative expenses, which ensures that nearly 99 percent of funding increases directly reach local schools, and requiring mediation upon request by parents in order to reduce costly litigation;

Whereas such amendments also ensured that students whose schools cannot serve them appropriately and students who choose to attend private, parochial, and charter schools have greater access to free appropriate services outside of traditional public schools;

Whereas IDEA has supported, through its discretionary programs, more than two decades of research, demonstration, and training in effective practices for educating children with disabilities, enabling teachers, related services personnel, and administrators effectively to meet the instructional needs of children with disabilities of all ages;

Whereas Federal and State governments can support effective practices in the classroom to ensure appropriate and effective services for children with disabilities; and

Whereas IDEA has succeeded in marshalling the resources of this Nation to implement the promise of full participation in society of children with disabilities: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That the Congress—

(1) recognizes the 25th anniversary of the enactment of the Education for All Handicapped Children Act of 1975 (Public Law 94–142);

(2) acknowledges the many and varied contributions of children with disabilities, their parents, teachers, related services personnel, and administrators; and

(3) reaffirms its support for the Individuals with Disabilities Education Act so that all children with disabilities have access to a free appropriate public education.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. GOODLING).

GENERAL LEAVE

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Concurrent Resolution 399.

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

Mr. GOODLING. Mr. Speaker, I yield myself such time as I may consume.

Today, I am pleased to bring to the floor for consideration House Concurrent Resolution 399, which recognizes and honors the 25th anniversary of the passage of the Individuals with Disabilities Education Act on November 29, 1975. I am pleased so many of my colleagues from both sides of the aisle have joined me in cosponsoring the resolution.

Since 1975, when Congress first authorized the original IDEA law, we have refined and improved the law several times. In 1990, the statute was named the Individuals with Disabilities Education Act. As most everyone knows, this act assists States and local school districts with the excess costs of educating students with disabilities.

In each reconsideration of the law, we have worked to ensure greater access to education for all students with disabilities. We also have worked increasingly to improve the quality of the education that children with disabilities receive. I am especially interested in quality education and am pleased by the progress that children with disabilities are making. For instance, children with disabilities are increasingly completing their high school education and embarking on postsecondary educations.

I believe strongly in the goal of IDEA, that every child should have the opportunity to receive a quality education. I note that teachers and school administrators also support this goal. However, we all realize that schools need additional funds to make this goal a reality. To this end, I have consistently fought for increased funding for IDEA during my years in Congress.

As a matter of fact, for the first 20 years in the minority, my colleague, the gentleman from Michigan (Mr. KILDEE), and I were the only two who were seeking additional funding, yet we all realize what it means to the local school districts to go without that funding, that 40 percent of the excess cost. That 40 percent is based on the per-pupil cost to educate children nationwide, and 1 or 2 years ago that was $6,300, which means we should have been sending $2,500 plus dollars. Instead, local districts have had to make up the money because we have not done the job.

This is why I kept saying to the President, like every other President, ''You do not need some new thing for a legacy; all you have to do is help me get this 40 percent, then the local districts could do everything they want to do because they would have the money to do it locally.''

Just a couple of examples. We have New York, Los Angeles, Chicago, Miami, and Washington, D.C. If Los Angeles had been getting 40 percent, they would be getting an additional $118 million a year. If New York City were getting their 40 percent, they would get $170 million extra every year. Now, imagine what they could have done in all these years to reduce class size, if that is what they wanted to do; or to maintain their buildings or even build new buildings?

These are big dollars we are talking about. Unfortunately, that did not happen. In fact, 2 years in a row the President sent budgets up to the Hill that actually cut the amount of money that would go to special ed. In the last 6 years, I am happy to show, and I am happy to show it because I have been chairman the last 6 years, but I am happy to show that we have doubled the amount of money that has gone back to local school districts, as my colleagues can see on this chart. On this chart we can see the President's request is in yellow and what the Congress has done is in red. So we have been able to double that funding, which means so much to that local school district.

We still have other work to do in relationship to having a perfect IDEA, if there is such a thing as perfect. In our 1997 amendments, we focused the law on the quality education a child with disabilities is to receive rather than upon process and bureaucracy; gave parents greater input in determining the best education for their child; and gave teachers the tools they need to teach all children well.

For instance, these amendments, the Individualized Education Program, is developed with the general curriculum in mind; and students with disabilities are taking district and State-wide assessments in greater numbers. Both of these improvements mean children with disabilities will receive a higher quality education.

□ 1415

We decreased the amount of paperwork required of teachers so that they have more time to spend with their students. We also dealt somewhat with the discipline problem.

So I am happy to say that, on this anniversary, we are now moving in the right direction both in how we present the program and also in the amount of funding that we are providing, getting closer to that 40 percent based on the per-pupil expenditure in each district.

I am also happy to say that during the first 20 years, as I indicated, there were only the gentleman from Michigan (Mr. KILDEE) and myself preaching, I thought, to the choir; but we were not preaching to the choir. I guess we were preaching to the heathen, as a matter of fact. But I am happy to say, in the last 6 years, we have people coming out of the woodwork on all sides of the aisle to get this money.

Why? Because I imagine they are hearing from their local school districts what a burden this is to a local school district to try to meet our mandate. It is not actually a mandate. However, if they do not provide a quality education to all children with disabilities, they are going to be in real trouble. So naturally they are going to take the Federal program because they hope they are going to get some Federal support.

Mr. Speaker, I reserve the balance of my time.

Mr. KILDEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join the gentleman from Pennsylvania (Chairman GOODLING) in urging support for H. Con. Res. 399. I want to commend the chairman for bringing this legislation before the House today.

Several years ago when we both sat on the Committee on the Budget, the gentleman from Pennsylvania (Chairman GOODLING) and I had the courage to voice support for full funding of IDEA. We were pretty lonely voices in those days, but we worked very closely together.

Mr. Speaker, the gentleman from Pennsylvania (Mr. GOODLING) is one of the very best friends I have here in the Congress of the United States. For several years, I was his chairman on the subcommittee. But in 1994, I discovered at about 2 in the morning that, for the first time in 40 years, the Republicans had taken control of the Congress of the United States. And I was a survivor, but I was a survivor in Cornwallis' army rather than in Washington's army. And I realized that the gentleman from Pennsylvania (Mr. GOODLING) now was going to be my chairman and not of a subcommittee, he was going to be my chairman of the full committee, of the full Committee on Education and Labor.

So I thought I should give him a call. I called him at 7 o'clock in the morning. And one never calls a politician at 7 o'clock in the morning the day after the election because we are pretty well wiped out from the day before and the night before. But I knew he would be up because the gentleman from Pennsylvania (Mr. GOODLING) is a farmer and he would be up. So I called him at 7 o'clock in the morning. He answered the phone at his home in York, Pennsylvania. I did not identify myself. I said, ''Mr. Chairman.'' And he responded, ''How sweet it is.'' And it was sweet. And I have enjoyed working with him as a member of the committee and he as chairman.

Despite opposition to our early efforts, we have doggedly pursued this goal together; and it has been a joy working with him.

While I am aware that IDEA is presently set to receive a $1.3 billion increase for the coming fiscal year, it is my hope that in the remaining days of this Congress that we can meet the goal of a $2 billion increase that the House established for the passage of the Goodling bill, H.R. 4055.

Clearly, the educational needs of children with disabilities and their access to a free, appropriate public education is a critical issue in ensuring that they become productive members of our society.

The work that we have done on IDEA in the past few years, Mr. Speaker, and the work that we will do in the coming Congresses has been so crucial to ensuring that children with disabilities receive the education to which they are entitled.

All of these efforts started with the passage of Public Law 94–142 on November 29, 1975. Prior to the passage of the Education for All Handicapped Children Act, IDEA's predecessor statute, millions of disabled children received substandard education or no education at all. Some were refused admission into our public schools.

After the passage of 94–142, disabled children were literally brought out of the closets and educated in regular classrooms.

Many individuals have had a role in creating and improving IDEA. I want to especially thank and recognize the parents and advocates of disabled children, for without their tireless efforts, we would not be where we are today.

As a matter of fact, when Michigan passed its Education for the Handicapped, it was passed only because of the advocacy of parents; and their advocacy has persisted to this day. This resolution is a fitting tribute to their many years of work.

In closing, I want to urge Members to support this bipartisan legislation and again commend my very, very dear friend, the gentleman from Pennsylvania (Mr. GOODLING), for constantly, constantly bringing this issue before us.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. UPTON), a very important member of the committee.

Mr. UPTON. Mr. Speaker, I know that my good friend, the gentleman from Michigan (Mr. KILDEE), and the gentleman from Pennsylvania (Chairman GOODLING), I was part of that choir that they were preaching to. They had me convinced early on that this bill and funding for IDEA was certainly the right way to go, particularly as I talked to my local school districts, parents, and families back home.

This bill, H. Con. Res. 399, recognizes and honors the 25th anniversary of the passage of IDEA. We strongly believe, everyone I think in this Chamber believes strongly, in the goal of IDEA that every child, every child, should have the opportunity to receive a quality education. We have worked hard to ensure greater access to education for all students with disabilities. We have also worked increasingly to improve the quality of the education that children with disabilities receive.

Over the last 4 fiscal years, IDEA has seen a dramatic increase of $2.6 billion. That is 115 percent increase in the Federal contribution. Prior to that, the Federal contribution was only 7 percent.

Now, in fact, the Federal Government contributes 13 percent of the average per-pupil expenditure to assist with the excess cost of educating a child with a disability. A lot of us would like to see that be increased even beyond 13 percent and get quite a bit closer to the original goal, which is 30 or 40 percent.

During this Congress, the House passed H. Con. Res. 84, the IDEA full-funding resolution that passed 413–2. The resolution stated that IDEA is the highest priority among Federal elementary and secondary education programs and that, in fact, it should provide full funding to school districts as originally promised by the Congress.

The House also passed H.R. 4055, the IDEA Full Funding Act of 2000, by a vote 421–3. This provides an authorization scheduled for reaching the Federal mandate to assist States and local school districts with the excess costs of educating children with disabilities. This bill sets a schedule for meeting the Federal Government's IDEA funding commitment within an achievable time frame.

In the last Congress, we completed the reauthorization of IDEA. The amendments of 1997 brought many improvements to the education that children with disabilities receive. It focused on three things. It focused the law on the education to a child it is to receive rather than upon process and bureaucracy. Amendments gave parents greater input in determining the best education for their children by boosting the role of their parents; and they gave the teachers the tools that they need to teach all children well by reducing the amount of paperwork expected of teachers so that now they will have more time to spend with the students.

This is important legislation. It is an important program, and the Congress should step up to the plate to help our local schools deal with the pressing need that continues to grow in all of our congressional districts.

Again, I compliment Members on both sides of the aisle, particularly the gentleman from Pennsylvania (Chairman GOODLING), for getting this bill to the floor; and I look forward to its passage.

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. BURR) who apparently

took one of our basketball prospects from the University of Maryland over the weekend, I am sorry to say.

Mr. BURR of North Carolina. Mr. Speaker, I thank the chairman for yielding me the time. And to steal a recruit from Maryland is an easy thing for those of us in North Carolina.

Mr. Speaker, I was not here 25 years ago; but our good chairman, the gentleman from Pennsylvania (Mr. GOODLING), was. Under his leadership, his commitment, and his determination, he has helped shape education policy for the better. He has been a teacher, a principal, a superintendent. We are lucky to have him fighting not just for disabled children but for all children.

Here we are today celebrating the enactment of the Education for All Handicapped Children Act, otherwise known as the Individuals With Disabilities Education Act, IDEA. As a result, we have more children with disabilities graduating from high school and at least three times the students with disabilities entering college.

When I read over the committee's report and floor proceedings from the 94th Congress for this legislation, I realized that this bill laid a foundation for the proper relationship between States and the Federal Government on the subject of education. Clearly, the right to a free public education is basic to equal opportunity and is vital to secure the future and prosperity of our people. The failure to provide this right was criminal and, thankfully, was corrected 25 years ago.

As we turn to the future, we must fulfill our commitment not just to the States but ultimately to the children. We must not simply vote to fully fund IDEA, but we must make sure that the money gets there.

We have increased funding for this program 115 percent since 1995, well over $2.6 billion. However, we can do better. We should be funding 40 percent of the average per-pupil expenditure to the State and not a penny less.

As leaders of this Nation, we expect so much from our teachers, our administrators, and our children. It is their turn to expect no less of us. We cannot let them down.

As we celebrate the 25th anniversary of this landmark legislation, we must remember its intent and continue to press for full funding.

Mr. Speaker, I commend the gentleman from Pennsylvania (Chairman GOODLING) for his dedication, for his focus, for his commitment not just to disabled children but to all children.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from Nevada (Mr. GIBBONS).

Mr. GIBBONS. Mr. Speaker, I thank the chairman for yielding me the time.

Mr. Speaker, I want to congratulate and commend the gentleman from Pennsylvania (Chairman GOODLING) and the ranking minority member, the gentleman from Michigan (Mr. KILDEE), for their hard work on this very important part of our children's education.

Mr. Speaker, I rise in proud support today of H. Con. Res. 399, to recognize the 25th anniversary of the Education for All Handicapped Children Act, later renamed the Individuals With Disabilities Education Act, or IDEA.

This law currently benefits 200,000 infants and toddlers, as well as 600,000 preschoolers and over 5.4 million school-aged children in the United States.

Mr. Speaker, these numbers are indeed impressive, but we must do more. We must look beyond these numbers to see how IDEA has improved and enriched education in America. IDEA has enabled millions of students with disabilities to stay in public school and receive a quality education. These students have the opportunity to learn and interact with other children in the classroom and on the playground. And these same children grow up and enroll in college and graduate programs, fully recognizing and realizing their potential and making a real difference in their communities and families.

IDEA has also united parents, teachers, and school administrators who work together to develop quality education programs that fully meet the needs of every child. IDEA provides the funds for these accomplishments to occur every day in every school across this country.

Mr. Speaker, as we celebrate this 25th anniversary, it is my hope that we can continue our work to fully fund IDEA so that millions more children will have the opportunity to receive the same quality public education.

□ 1430

Mr. GOODLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have come a long, long way in the last 6 years toward meeting that goal of helping to fund special education back in the local school districts. Now that the ball is rolling, I will not be here but I hope those Members who will will keep that ball rolling so that we can get an extra $95 million to Los Angeles each year, an extra $76 million to Chicago, an extra $170 million to New York City, an extra $16 million to Dallas, an extra $23 million to Houston, an extra $8 million to San Antonio, an extra $5 million to Fort Worth, an extra $13 million to Tallahassee, an extra $30 million to Jacksonville, an extra $26 million to Orlando, an extra $29 million to Tampa, an extra $12 million to Washington, D.C., an extra $8 million to St. Louis, and yes, an extra $1 million to the little city of York of 49,000 people.

My colleagues have a big job ahead of them; and I know that those who will be left behind, I do not know whether that is being left behind because they are still here or not but those of them who will remain in the Congress have a big job to make sure that we get to that 40 percent.

All of those who spoke today, I would encourage them to lead that fight. It will be the greatest thing they can do, bar none, to help a local school district.

Mr. LANTOS. Mr. Speaker, I rise today to join my colleagues in honoring the 25th anniversary of the enactment of the Education for All Handicapped Children Act. This legislation was a great achievement in the fight for equality of education for all American children. For too long, children with special educational needs were neglected, ignored, or even confined to institutions. Congress made necessary and appropriate revisions to the law in 1997, renaming it the Individuals with Disabilities Education Act or IDEA. These amendments to the law kept the spirit of the original Education for All Handicapped Children Act, by reaffirming that handicapped and special needs children have the opportunity to the free public education that is available to other American children.

Unfortunately, Mr. Speaker, Congress has not lived up to its end of the agreement to provide an important part of the funds necessary to carry out the provisions of the legislation. As you know, Mr. Speaker, on May 2nd of this year, the House overwhelmingly adopted H.R. 4055, which authorized Congressional appropriators to increase fiscal year 2001 funding for IDEA by two billion dollars, and to continue to increase the funding for IDEA in each subsequent year until the year 2010 when the federal government should fund IDEA at 40% of the cost of the program. As you are aware, this is level of funding that is required by the 1997 revisions to the Education for All Handicapped Children Act.

Sadly, Mr. Speaker, my colleagues on the other side of the aisle have ignored the overwhelming support for meeting the federal obligation set under IDEA and instead offered a lower amount in the appropriations legislation being considered this year. The budgets of our school districts are being decimated because Congress is not funding IDEA at the mandated level. In California the budget gap state-wide is estimated to be 1.2 billion dollars. The San Mateo County School district has had to cover the 19 million dollars that full IDEA funding would have provided.

Mr. Speaker, I cannot fathom why Congress would want to make local school districts chose between education children with special needs or eliminating music and art programs, yet this is the path we are following. I urge my colleagues who are working on the Labor, Health and Human Services appropriations legislation to accept the funding levels established in H.R. 4055 and add the necessary 2 billion dollars to IDEA funding this year, and to ensure that IDEA is funded at the mandated level by 2010.

Mr. BEREUTER. Mr. Speaker, as a longtime supporter of fulfilling the Federal Government's commitment to fund the Individuals with Disabilities Education Act (IDEA) at 40 percent, this Member rises in strong support of H. Con. Res. 399, recognizing the 25th Anniversary of the enactment of the Education for All Handicapped Children Act of 1975.

According to the Committee for Education Funding, before enactment of the Education for All Handicapped Children Act into law, more than one million children with disabilities were denied an education in America's public schools. This law incorporated all levels of government to ensure that children with disabilities had access to a ''free appropriate public education'' that requires special education and related services. Currently, more

than 6.2 million children, ages 3–21, with disabilities ranging from speech and language impediments to emotional disturbances, have benefitted from these services.

Within the State Grant Program of the IDEA, approximately $240 million is sent to 407 Nebraska school districts or approved cooperatives that serve children with disabilities, ages birth to five years. About $4.3 million supports discretionary projects to help meet IDEA requirements for children with disabilities, ages birth to 21 years, and approximately $800,000 is available for school improvement projects. In the 1999–2000 school year alone, 43,531 children and youth in the State of Nebraska benefitted from the IDEA State Grant program.

Mr. Speaker, while this improvement is good news, this Member will continue full funding of the Federal Government's forth percent commitment to IDEA. Meeting the IDEA requirements set by Congress 25 years ago will provide relief to our local school districts and will ensure the continued success of IDEA and its goal of creating productive members of society within the disability community.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to rise today as cosponsor and supporter of H. Con. Res. 399, which recognizes the 25th anniversary of the Education for All Handicapped Children Act, now know as the Individuals with Disabilities Education Act, or IDEA.

When the Education for All handicapped Children Act was first signed into law on November 29, 1975, it marked an historic milestone for children with disabilities. For the first time, special needs children were guaranteed access to a free and appropriate education.

Unfortunately, since this legislation was first signed into law, the Federal government has been remiss in paying for its full share of the costs associated with educating special needs children. The original act set forth a framework whereby 40 percent of the average costs of educating a special needs child would be paid by the Federal government. To date, that level has never been reached. As a result, state and local school districts have been forced to divert money from other needed services, including school construction and teacher training, to pay for the government's share of IDEA.

Congress, over the past six years, has done incredible work to provide additional funding for IDEA over and above the Administration's requested level, doubling the amount of money the Federal government is providing to state and local school districts to pay for the costs associated with this program. Unfortunately, the funding still falls short of the 40 percent the Federal government committed to paying for IDEA.

I am pleased that the House of Representatives passed H.R. 4055, the IDEA Full Funding Act, earlier this year. However, despite the importance of fully funding our obligation under IDEA, H.R. 4055 is still pending in the Senate.

I would hope that my colleagues in the other body will take the opportunity of the 25th Anniversary of this critical education program to pass H.R. 4055, and once and for all meet the Federal government's funding obligation to IDEA.

I thank the gentleman from Pennsylvania, Mr. GOODLING, for introducing this legislation, and for all his hard work toward ensuring the Federal government honors its commitment to special needs children. I urge my colleagues to support this bill.

Mr. PAUL. Mr. Speaker, I appreciate the opportunity to explain why I must oppose H. Con. Res. 399, which celebrates the 25th Anniversary of the Individuals with Disabilities Education Act (IDEA). My opposition to H. Con. Res. 399 is based on the simple fact that there is a better way to achieve the laudable goal of educating children with disabilities than through an unconstitutional program and thrusts children, parents, and schools into an administrative quagmire. Under the IDEA law celebrated by this resolution, parents and schools often become advisories and important decisions regarding a child's future are made via litigation. I have received complaints from a special education administrator in my district that unscrupulous trial lawyers are manipulating the IDEA process to line their pockets at the expenses of local school districts. Of course, every dollar a local school district has to spend on litigation is a dollar the district cannot spend educating children.

IDEA may also force local schools to deny children access to the education that best suits their unique needs in order to fulfill the federal command that disabled children be educated ''in the least restrictive setting,'' which in practice means mainstreaming. Many children may thrive in a mainstream classroom environment, however, some children may be mainstreamed solely because school officials believe it is required by federal law, even though the mainstream environment is not the most appropriate for that child.

On May 10, 1994, Dr. Mary Wagner testified before the Education Committee that disabled children who are not placed in a mainstream classroom graduate from high school at a much higher rate than disabled children who are mainstreamed. Dr. Wagner quite properly accused Congress of sacrificing children to ideology.

IDEA also provides school personal with incentives to over-identify children as learning disabled, thus unfairly stigmatizing many children and, in a vicious cycle, leading to more demands for increased federal spending on IDEA also IDEA encourages the use of the dangerous drug Retalin for the purpose of getting education subsidies. Instead of celebrating and increasing spending on a federal program that may actually damage the children it claims to help, Congress should return control over education to those who best know the child's needs: parents. In order to restore parental control to education, I have introduced the Family Education Freedom Act (HR 935), which provides parents with a $3,000 per child tax credit to pay for K–12 education expenses. My tax credit would be of greatest benefit to parents of children with learning disabilities because it would allow them to devote more of their resources to ensure their children get an education that meets the child's unique needs.

In conclusion, I would remind my colleagues that parents and local communities know their children so much better than any federal bureaucrat, and they can do a better job of meeting a child's needs than we in Washington. There is no way that my grandchildren, and some young boy or girl in Los Angeles, CA or New York City can be educated by some sort of ''Cookie Cutter'' approach. Thus, the best means of helping disabled children is to empower their parents with the resources to make sure their children receives an education suited to that child's special needs, instead of an education that scarifies that child's best interest on the altar of the ''Washington-knows-best'' ideology.

I therefore urge my colleagues to join with me in helping parents of special needs children provide their children with a quality education that meets the child's needs by repealing federal mandates that divert resources away from helping children and, instead, embrace my Family Education Freedom Act.

Mrs. KELLY. Mr. Speaker, in anticipation of the 25th Anniversary of the Individuals with Disabilities Education Act, I rise today to urge my colleagues to join with me in acknowledging the good this program has done for our children and their future.

Almost twenty-five years ago, Congress passed the Education for All Handicapped Children Act. This landmark legislation established the federal policy of ensuring that all children, regardless of nature or severity of their disability, have the right to a free appropriate public education in the least restrictive environment. Throughout the years, Congress has seen fit to update this legislation, first to create a preschool grant program and an early intervention program to serve the needs of children starting at birth and going through the age of five. Since 1990, this program has been known as the Individuals with Disabilities Education Act (IDEA). Improvements made to IDEA in 1997 changed the focus of the educational process of disabled children from the procedural requirements to individualized education programs to better serve our children. In 1997, we also implemented behavioral and intervention strategies for those children whose behavior impedes the learning process.

Today, IDEA serves approximately 200,000 infants and toddlers, 600,000 preschoolers, and 5,400,000 children from 6 to 21 years old. It is through efforts of this program that we have seen a substantial increase in the numbers of disabled students graduate high school, and the number of disabled students who enroll in college.

However, much still needs to be done to make this program reach its potential. Almost twenty-five years after its enactment, this program is only being funded at 13% of the federal share. Originally Congress committed itself to covering 40% of the costs of this program. Since 1995, the funding for this program has increased by almost 115%, which is an increase of over $2.6 billion. Yet, even after this sustained funding increase, this program is still grossly underfunded.

When I arrived in Congress in 1995, I began working with Chairman GOODLING to fight for increased funding for this program. Throughout the past six years, full funding for this program has remained one of my top education priorities. If the federal government fully funded its share of the costs of this program, my own state of New York would have received $1.087 billion for fiscal year 2000, instead of the $344.3 million it did get. Fully funding our part would help to ease the burdens on our local taxpayers who bear the brunt of education costs.

Mr. Speaker, I greatly appreciate the opportunity to have worked with Chairman GOODLING over the past several years. His commitment to education is clear through his long history as a school teacher, principal and superintendent and his efforts on behalf of our

children and our nation will not soon be forgotten.

Mr. Speaker, I urge my colleagues to support this resolution and continue to make full funding of IDEA a priority in the future. Our children deserve no less.

Mr. GOODLING. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Pennsylvania (Mr. GOODLING) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 399.

The question was taken.

Mr. GOODLING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

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## COLLEGE SCHOLARSHIP FRAUD PREVENTION ACT OF 1999

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1455) to enhance protections against fraud in the offering of financial assistance for college education, and for other purposes.

The Clerk read as follows:

S. 1455

*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 ''College Scholarship Fraud Prevention Act of 1999''.

**SEC. 2. FINDINGS.**

Congress makes the following findings:

(1) A substantial amount of fraud occurs in the offering of college education financial assistance services to consumers.

(2) Such fraud includes the following:

(A) Misrepresentations regarding the provision of sources from which consumers may obtain financial assistance (including scholarships, grants, loans, tuition, awards, and other assistance) for purposes of financing a college education.

(B) Misrepresentations regarding the provision of portfolios of such assistance tailored to the needs of specific consumers.

(C) Misrepresentations regarding the preselection of students as eligible to receive such assistance.

(D) Misrepresentations that such assistance will be provided to consumers who purchase specified services from specified entities.

(E) Misrepresentations regarding the business relationships between particular entities and entities that award or may award such assistance.

(F) Misrepresentations regarding refunds of processing fees if consumers are not provided specified amounts of such assistance, and other misrepresentations regarding refunds.

(3) In 1996, the Federal Trade Commission launched ''Project Scholarscam'', a joint law enforcement and consumer education campaign directed at fraudulent purveyors of so-called ''scholarship services''.

(4) Despite the efforts of the Federal Trade Commission, colleges and universities, and nongovernmental organizations, the continued lack of awareness about scholarship fraud permits a significant amount of fraudulent activity to occur.

**SEC. 3. SENTENCING ENHANCEMENT FOR HIGHER EDUCATION FINANCIAL ASSISTANCE FRAUD.**

Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend the Federal sentencing guidelines in order to provide for enhanced penalties for any offense involving fraud or misrepresentation in connection with the obtaining or providing of, or the furnishing of information to a consumer on, any scholarship, grant, loan, tuition, discount, award, or other financial assistance for purposes of financing an education at an institution of higher education, such that those penalties are comparable to the base offense level for misrepresentation that the defendant was acting on behalf of a charitable, educational, religious, or political organization, or a government agency.

**SEC. 4. EXCLUSION OF DEBTS RELATING TO COLLEGE FINANCIAL ASSISTANCE SERVICES FRAUD FROM PERMISSIBLE EXEMPTIONS OF PROPERTY FROM ESTATES IN BANKRUPTCY.**

Section 522(c) of title 11, United States Code, is amended—

(1) by striking ''or'' at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting ''; or''; and

(3) by adding at the end the following:

''(4) a debt in connection with fraud in the obtaining or providing of any scholarship, grant, loan, tuition, discount, award, or other financial assistance for purposes of financing an education at an institution of higher education (as that term is defined in section 101 of the Higher Education Act of 1954 (20 U.S.C. 1001)).''.

**SEC. 5. SCHOLARSHIP FRAUD ASSESSMENT AND AWARENESS ACTIVITIES.**

(a) ANNUAL REPORT ON SCHOLARSHIP FRAUD.—

(1) REQUIREMENT.—The Attorney General and the Secretary of Education, in conjunction with the Federal Trade Commission, shall jointly submit to Congress each year a report on fraud in the offering of financial assistance for purposes of financing an education at an institution of higher education. Each report shall contain an assessment of the nature and quantity of incidents of such fraud during the one-year period ending on the date of such report.

(2) INITIAL REPORT.—The first report under paragraph (1) shall be submitted not later than 18 months after the date of the enactment of this Act.

(b) NATIONAL AWARENESS ACTIVITIES.—The Secretary of Education shall, in conjunction with the Federal Trade Commission, maintain a scholarship fraud awareness site on the Internet web site of the Department of Education. The scholarship fraud awareness site may include the following:

(1) Appropriate materials from the Project Scholarscam awareness campaign of the Commission, including examples of common fraudulent schemes.

(2) A list of companies and individuals who have been convicted of scholarship fraud in Federal or State court.

(3) An Internet-based message board to provide a forum for public complaints and experiences with scholarship fraud.

(4) An electronic comment form for individuals who have experienced scholarship fraud or have questions about scholarship fraud, with appropriate mechanisms for the transfer of comments received through such forms to the Department and the Commission.

(5) Internet links to other sources of information on scholarship fraud, including Internet web sites of appropriate nongovernmental organizations, colleges and universities, and government agencies.

(6) An Internet link to the Better Business Bureau in order to assist individuals in assessing the business practices of other persons and entities.

(7) Information on means of communicating with the Federal Student Aid Information Center, including telephone and Internet contact information.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. UPTON).

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 1455.

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

There was no objection.

Mr. UPTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the Committee on Education and the Workforce.

Mr. GOODLING. Mr. Speaker, I rise today in support of S. 1455 which mirrors the provisions of H.R. 3210 introduced by my friend and as I said earlier a very important colleague on the Committee on Education and the Workforce the gentleman from Michigan (Mr. UPTON).

Scholarships, grant aid, student loans and other forms of financial assistance have long assisted our Nation's college students in pursuing a postsecondary education. The College Board in its Trends in Student Aid for 1999 estimated that $64.1 billion was awarded to students in the form of scholarships, grants, loans, and other student aid for the 1998–99 academic year. Student aid comes from various sources, including the Federal Government, States, private and public entities and postsecondary institutions.

Unfortunately, not all scholarship offers are legitimate. Phony scholarship offerings, scams and other fraudulent offerings do great harm to our Nation's students who are searching for ways to help pay the ever-increasing costs of a college education. This bill addresses this issue and allows for enhanced criminal penalties for offenses involving scholarship scams.

In addition, this bill directs the Secretary of Education, working with the Federal Trade Commission, to maintain a scholarship fraud awareness site on the department's Internet Web site. This Web site will provide valuable information with respect to scholarship fraud so students will have a source of information for verifying whether they are being offered legitimate scholarship aid.

Again, I congratulate and thank the gentleman from Michigan (Mr. UPTON) for presenting this legislation.