

# EXTENSIONS OF REMARKS

## SURRENDER TO NEA PRESSURE

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 19, 1996

Mr. GINGRICH. Mr. Speaker, I would like to bring to the attention of my colleagues the attached article from the March 7 Washington Times. Columnist John Leo describes the power of the National Education Association in opposing any and all school choice reform measures. Leo observes that the NEA's power is so great that it has succeeded in scuttling a full vote in the other body on the District of Columbia appropriations bill; its school voucher initiative is anathema to the NEA. As a result, the financially crippled D.C. government totters near bankruptcy.

Leo observes:

The NEA, the giant dinosaur of educational policy, is the largest single reason why the public school system seems almost impervious to real reform. It's clear goal is power over a monopolistic system, and it will do whatever it must to retain that power.

All those interested in producing true reform in our public schools are urged to read this column, submitted here into the CONGRESSIONAL RECORD.

[From the Washington Times, Mar. 7, 1996]

SURRENDER TO NEA PRESSURE

(By John Leo)

In his generally upbeat State of Education speech last week, Education Secretary Richard Riley talked darkly about people who want to "destroy public schools" and who "seek nothing less than dismemberment of the public education system."

These destroyers and dismemberers turned out to be ordinary supporters of school vouchers or school choice, a great many of whom are poor and black or Hispanic.

In part, Mr. Riley's attack on the school choice movement was protective cover for a disgraceful vote last week perpetrated by Senate Democrats under prodding from the White House. The Senate sank an aid package for the nearly bankrupt District of Columbia government, essentially because one part of the plan could have given some poor D.C. parents vouchers or scholarships for children to attend private schools. The plan went down on a procedural vote to prevent filibuster. Sixty votes were needed, but the two votes for cloture came out 54-44 and 52-42, with Democrats voting as a bloc with four dissenters, then five.

Democrats are not famous for stifling the D.C. government, for opposing "choice" in any form, or even for defending Senate talkathons as a method of frustrating majorities. When it comes to essential services, Democrats routinely argue that the poor should have the same options as the middle class and the rich, even if it takes public funds to guarantee them. But all these normal party instincts are routinely suppressed when the subject is schools and the lobby applying the pressure is the major teachers union, the National Education Association.

In this case, the pressure was so intense that the Democrats preferred "a looming cri-

sis of Congress' own making," as The Washington Post put it, to keeping alive the possibility that some poor Washington children might be able to attend non-public schools. As the Republicans tell it, they had the 60 votes in hand on Monday, but the NEA leaned on President Clinton, who abandoned his support for the plan and sent a written message to congressional Democrats asking them to switch, too.

The plan would have left the decision on these vouchers up to the D.C. council, which is highly hostile to the idea. Even if the council had approved, no money would have been removed from public school coffers. School-choice money was separate from public school aid, about \$21 million over five years, covering tuition scholarships for low-income children most at risk for failure.

Still, the NEA did not want D.C. voters to decide for themselves, and it didn't want Congress on record as favoring choice in any way, even for parents confronted with the worst public school system in America. Unionized teachers, like beneficiaries of monopolies everywhere, can always be counted on to suppress competition. So as expected, the White House and the Senate Democrats caved in on schedule.

The NEA, the giant dinosaur of educational policy, is the largest single reason why the public school system seems almost impervious to real reform. Its clear goal is power over a monopolistic system, and it will do whatever it must to retain that power. Given its lobbying strength and muscle within the party—almost one in eight delegates to the last Democratic National Convention were NEA members—it can reliably dictate educational policy and key votes by congressional Democrats. And it can make trouble for reformers of all persuasions. As Lamar Alexander once said, "Only a very determined governor has the influence to marshal enough power to overcome (NEA) opposition."

True to form, the NEA cloaked its institutional interest in fears about church-state separation being violated by children attending religious schools on vouchers. By coincidence, the church-state issue was argued last week before the Wisconsin Supreme Court. At stake is the planned expansion to religious schools of the choice program that is making the most headway—Milwaukee's plan offering scholarships, of about \$3,200 a year per student for some 7,000 poor children to enroll in non-public schools.

The state of Wisconsin argued before the court that arguments calling the Milwaukee plan a violation of the establishment clause are "no more than hollow walls" thrown up to defend a failing public school system. In questioning lawyers, the justices seemed dubious about the constitutionality of including religious schools in the program.

Still, programs such as this stand a good chance of passing muster. Since 1983, U.S. Supreme Court rulings have held that this kind of support for students in sectarian schools is legally permissible if the aid goes directly to parents, if the choice of school is freely made by parents or guardians, and if the system of funding is neutral on parental choice of school.

Former Assistant Secretary of Education Diane Ravitch reminds us that both the Head Start program and public scholarships to college provide models for choice—in both

cases, public funds legally follow students even to sectarian institutions.

A Supreme Court ruling is presumably years away. In the meantime, we may see many episodes like the Senate's shabby treatment of the D.C. package.

## EXCEPTING LOCAL REDEVELOPMENT AUTHORITIES FROM THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 19, 1996

Mr. WOLF. Mr. Speaker, yesterday I introduced legislation which would amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 [CERCLA] to exempt certain State and local redevelopment authorities such as civic boards or commissions, and fresh start users of facilities purchased from those boards or commissions, from liability under the Superfund law under certain limited circumstances.

Under current law, civic boards or commissions charged with the job of developing plans for and encouraging the rehabilitation and reuse of Superfund sites are handicapped by certain Superfund liability provisions. These provisions could make such boards or commissions or their members liable for the costs of remediation of the site because of their involvement with developing plans to encourage future productive use of the site. This situation is unacceptable. Local governments should be able to develop and implement redevelopment plans without the fear of lawsuits seeking to join them as liable owners or operators.

Mr. Speaker, Front Royal, VA, located in Warren County, which I am proud to represent, is a beautiful and historic area located in the scenic Shenandoah Valley of the 10th District. The region has a blemish; however, namely, the Avtex-FMC Superfund site. State and local officials and the citizens of Warren County have come together in a concerted effort to cooperate with the Environmental Protection Agency (EPA) to clean up this contaminated site. Furthermore, like other communities that have Superfund sites, the citizens of Warren County and the town of Front Royal would like to move this site into productive economic use as soon as possible, thereby creating jobs and expanding the tax base.

In fact, the Warren County Redevelopment Board [WCRB], a local civic board, is dedicated to facilitating the reuse of the site. However, the WCRB is limited in what it can do because liability under CERCLA is joint and several and adheres to owners or operators whether they actually contributed to the contamination or not. That means that a local governmental entity, which assumes ownership or control of some or all of the remediated property for the sole purpose of finding a

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