The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MILLER of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 223, nays 187, not voting 25, as follows:

[Roll No. 421]

YEAS—223

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (IL)
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Dixon
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Quinn
Radanovich
Rangel
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Ryun
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Torres
Traficant
Visclosky
Walsh
Wamp
Waters
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Yates
Young (FL)

NAYS—187

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barr
Barrett (WI)
Becerra
Bentsen
Berman
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Doggett
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Ganske
Gejdenson
Goode
Goodlatte
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Largent
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Royce
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Scott
Shadegg
Sherman
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Turner
Upton
Velazquez
Vento
Watt (NC)
Waxman
Wexler
Weygand
Woolsey
Wynn

NOT VOTING—25

Barcia
Berry
Brown (CA)
Cannon
Dingell
Dooley
Furse
Gephardt
Gonzalez
Hefner
Kasich
Kennedy (MA)
Kennelly
LaHood
McDade
Moakley
Poshard
Pryce (OH)
Rush
Schumer
Sisisky
Tauzin
Towns
Wise
Young (AK)

☐ 1323

The Clerk announced the following pair:

On this vote:

Mr. Young of Alaska for, with Mr. Berry against.

Ms. WOOLSEY, Ms. DELAURO, Ms. CARSON, Mr. MINGE, Ms. RIVERS, Ms. VELÁZQUEZ and Mr. OBERSTAR changed their vote from ''yea'' to ''nay.''

Mr. DIXON changed his vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GOSS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2538, the bill just passed.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 3892, ENGLISH LANGUAGE FLUENCY ACT

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 516 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 516

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3892) to amend the Elementary and Secondary Education Act of 1965 to establish a program to help children and youth learn English, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule for a period not to exceed three hours and, thereafter, as provided in section 2 of this resolution. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Before consideration of any other amendment it shall be in order to consider the amendment printed in the Congressional Record and numbered 1 pursuant to clause 6 of rule XXIII, if offered by Representative Riggs of California or his designee. That amendment shall be considered as read, be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. If that amendment is adopted, the provisions of the amendment in the nature of a substitute as then perfected shall be considered as original text for the purpose of further amendment under the five-minute rule. After disposition of the amendment numbered 1, it shall be in order to consider the amendment printed in the Congressional Record and numbered 2 pursuant to clause 6 of rule XXIII, if offered by Representative Riggs of California or his designee, which shall be considered as read. That amendment and all amendments thereto shall be debatable for 30 minutes equally divided and controlled by the proponent and an opponent. During consideration of the bill

for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. After consideration of the bill for amendment under the five minute rule for three hours pursuant to the first section of this resolution, no further amendment to the amendment in the nature of a substitute made in order as original text shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Each further amendment may be offered only by the Member who caused it to be printed or a designee and shall be considered as read. Each further amendment and all amendments thereto shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

□ 1330

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Florida (Mr. GOSS) is recognized for one hour.

Mr. GOSS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. All time yielded is for the purposes of debate on this issue only.

Mr. Speaker, this is a fair and appropriate modified open rule. The rule provides 1 hour of general debate equally divided between the chairman and ranking member of the Committee on Education and the Workforce. The rule also provides a 3-hour time period for amendments, after which amendments preprinted in the CONGRESSIONAL RECORD may also be offered and debated for a period not to exceed 10 minutes.

The rule provides for consideration of a manager's amendment if offered by the gentleman from California (Mr. RIGGS), the chairman of the subcommittee.

Finally, the rule provides for a motion to recommit with or without instructions.

This rule provides ample opportunity for debate and amendment on this very important issue. There were no minority amendments, I am told, offered during committee consideration. The ranking member, the gentleman from California (Mr. MARTINEZ), testified to our Rules Committee that he had no intention of offering any amendments to the bill. In fact, the Rules Committee received only two amendments, both offered by the chairman of the subcommittee, the aforementioned gentleman from California (Mr. RIGGS).

Despite these clear considerations that interest in amending this bill is limited, the rule provides for 3 hours for amendments and even allows amendments preprinted in the CONGRESSIONAL RECORD to be offered after that time period of 3 hours has expired.

Given the very real time constraints we encounter in this body as we approach sine die adjournment, I think this is a very reasonable, appropriate and fair rule, and those who wish to take advantage of this subject certainly have ample opportunity.

Mr. Speaker, in some situations, bilingual education in our public schools has served its purpose very well. However, many of the current bilingual programs have not worked as well as we had hoped, both in teaching students our common language and in providing quality academic instructions, and this is a fact.

H.R. 3892, the English Language Fluency Act, block grants funds to States with the assurance that all local districts needing bilingual education programs will receive adequate funding.

This is an extremely important breakthrough. It then gives districts the flexibility to choose programs that work. As the chairman, the gentleman from Pennsylvania (Mr. GOODLING), correctly noted in his Rules testimony, and I quote, flexibility is the name of the game.

H.R. 3892 requires that parents consent to their children being placed in a bilingual program and allows parents to choose the type of instructional method their child will use, if more than one method is in fact available.

A weakness of the current system is that too often parents are simply ignored during this process. H.R. 3892 addresses that problem head on by putting parents in the driver's seat once again. I think it is something that will be welcome news to parents.

Another very real problem in my district and throughout the Nation is that bilingual programs are becoming a way of life rather than a swift and certain transition process.

Mr. Speaker, in order to ensure that students are making a quick transition into society, including the mastery of the English language, H.R. 3892 would require that federally funded bilingual programs aim to achieve English fluency within 2 years and would end Federal funding after 3.

Finally, H.R. 3892 recognizes that the money should follow the children. Under a new funding formula, States like Florida and California with a disproportionate number of children with bilingual needs would receive a larger share of the pie. That is where the problem is; that is where the money should go.

Mr. Speaker, the answers to our education problems do not reside in Washington, D.C. Instead of further empowering the D.C. education bureaucracy, we ought to be giving localities and parents the ability to choose successful bilingual programs. Our goal should be a smoother transition into American society for all children, and I think this legislation makes great strides in that direction.

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

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

Mr. Speaker, I thank my friend from Florida for yielding the customary 30 minutes.

Mr. Speaker, the House is scheduled to adjourn in less than a month and in that time we have important business to conduct, business that will require the cooperation of both parties. At the very least, we must finish appropriations bills, bills which are themselves complicated and contentious. Yet, today, the majority has chosen to bring before the House divisive legislation that will do nothing to advance the agenda that the Congress must address before we adjourn next month.

What this legislation does advance, however, is a misguided political agenda. This is an agenda that attempts to get rid of the Department of Education. The so-called English Language Fluency Act tramples on the rights of school children and their rights to an education that will allow them to become productive citizens of this country.

I should point out to my colleagues that the Republican governor of Texas, George W. Bush, recently addressed the National Convention of the League of United Latin American Citizens in advocating reviewing and repairing the bilingual education programs, rather than ending them, as this bill would do.

Mr. Speaker, this bill guts bilingual programs that have been designed to meet the needs and the rights of students. Let me read from the minority views in the report to accompany H.R. 3892. Those views state, and I quote: ''The language in H.R. 3892 which voids all the voluntary Compliance Agreements entered into by the Department of Education, the Office of Civil Rights and local school districts . . . is an unprecedented and shameful effort to gut enforcement of the Civil Rights Act of 1964 as it applies to the education of language to minority students.''

Those compliance agreements do not dictate how school districts design their bilingual education. Rather, Mr. Speaker, they are voluntary agreements reached with the Office of Civil Rights that ensure that school districts implement bilingual education instruction which results in the academic success of students with limited

English. Compliance agreements and the programs implemented under them seek to ensure that children can learn not just English, but that they can learn in English. That is an important distinction that I fear many of my colleagues might have missed.

By missing that distinction in the writing of this legislation, the effect of H.R. 3892 is to deny access to the best education that we can offer school children who are not yet English-language proficient. To do so is to deny over 3 million children access to the kind of education that they need in order to achieve social and economic success in America.

Mr. Speaker, the Supreme Court has established that it is a civil right for language-minority children to receive meaningful instruction that will allow them to fully participate in school. Much of that assurance has come since the decision in Lau v. Nichols, in the voluntary, yes, voluntary, Mr. Speaker, agreements that the school districts have reached with the Office of Civil Rights. Summarily dismantling those agreements may serve a political interest, but it is not in the interest of a single child.

Consequently, Mr. Speaker, I rise in strong opposition to this bill and rise in opposition to this rule simply because it provides for the consideration of this ill-considered and discriminatory legislation. In addition, Mr. Speaker, there are many groups who oppose this bill. Among them are the American Association of University Women, the Council of Chief State School Officers, the National Association of Elementary School Principals, the National Parent-Teachers Association, the National School Boards Association, the Mexican-American Legal Defense Fund, the National Council of La Raza, and the Leadership Conference on Civil Rights; and I might add, Mr. Speaker, countless thousands of parents who want only the best, perhaps a part of the American dream, for their children.

Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Mr. Speaker, I thank my colleague for yielding me this time.

Mr. Speaker, one of America's enduring strengths has always been its ability to embrace new people, new cultures, and new ideas. Part of our success in this has been the readiness of public schools to tackle the challenge of teaching children from all over the world.

Let me be very clear. We all want and we expect every new American to learn English and to learn it quickly. The question is, how do we best accomplish that.

Bilingual education is a vital teaching tool in this process, a means of communicating with students so that they can learn as much as they can as quickly as they can and integrate themselves into American society. Bilingual education is just that: bilingual. It does not mean that students do not learn English. Rather, they learn English while keeping up on all of their other subjects as well.

Now, this proven method of instruction has made an immeasurable difference, made a big difference in the lives of thousands and thousands of students, many of whom have gone on to become doctors and lawyers and teachers and members of the legislature and even the Congress.

So, in short, it works. But this Republican bill seeks to end bilingual education. It undermines established standards, and it actually, it actually imposes Federal mandates on local school districts, overriding local school education.

This Republican bill is a one-size-fits-all approach to a complicated problem. It strips the local school districts of autonomy and the flexibility that has always been theirs. In short, it is a bad idea. It is bad for education. It sends the wrong message to the diverse and talented school children that go to school every day in this country eager to learn.

So I rise, Mr. Speaker, to encourage my colleagues to oppose H.R. 3892. It is a bad bill.

Mr. RIGGS. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from California.

Mr. RIGGS. Mr. Speaker, I thank the gentleman for yielding, just so I can clarify a point he just made, because I am very astounded to hear the gentleman say that our proposed reforms constitute a one-size-fits-all mandate imposed on State and local education agencies.

My question to the gentleman, whom I thank for yielding, is does he realize that under current Federal law, 75 percent of all Federal taxpayer funding for bilingual education instruction must go for native language instruction and does not that constitute a one-size-fits-all mandate with respect to 75 percent of the funding?

Mr. BONIOR. Mr. Speaker, I yield to the gentleman from Texas (Mr. RODRIGUEZ), my friend, to help answer that question.

Mr. RODRIGUEZ. Mr. Speaker, I would suggest that that is not the case. In fact, there are some beautiful programs that are labeled bilingual. One of them is dual-language instruction that allows non-English speaking youngsters to be able to participate and be able to enhance their language and learn other languages also.

Mr. GOSS. Mr. Speaker, I am pleased to yield 5 minutes to the distinguished gentleman from California (Mr. RIGGS).

Mr. RIGGS. Mr. Speaker, I thank the gentleman for yielding time to me. I thought he did an outstanding job in describing the rule under which this bill is brought to the House floor today.

Let me agree with the gentleman from Florida when he describes the rule as being somewhat complex, but fair. My colleagues will note that members of the Democratic minority have an opportunity to offer, I think, all of the substantive policy amendments that they requested be made in order through the Committee on Rules, number 1; and number 2, there is equal balance in amendments that are made in order under the rule. So let me turn my attention to the actual underlying legislation for just a moment.

Let me say that my friend from Texas, who was recognized a moment ago by the minority whip, is right when he says that a number and a variety of programs can be funded with Federal taxpayer funding under current law. But he ignored the fundamental point that I was making, which is that the mandate in current law that requires that 75 percent of Federal taxpayer funding go for native language instruction.

Mr. RODRIGUEZ. Mr. Speaker, will the gentleman yield?

Mr. RIGGS. Mr. Speaker, perhaps when I have more time, although I would be happy to truly have a bipartisan debate across the center aisle, or the partisan aisle.

That mandate is embedded in current law, and what we are trying to do now by proposing reforms to the Federal Bilingual and Immigration Education Acts is to give local school districts more say, more flexibility, more discretion, more control in determining the bilingual instruction program, the bilingual instruction method that they feel is appropriate for children in that local community.

Mr. RODRIGUEZ. Mr. Speaker, will the gentleman yield?

Mr. RIGGS. I yield to the gentleman from Texas on that point.

□ 1345

Mr. RODRIGUEZ. Mr. Speaker, I would ask the gentleman, by doing that, in restricting it to 2 years, how is he allowing that to occur when he is actually telling the individuals in the districts they can only offer it for 2 years, when there is no pedagogical basis, educational rationale? And we all recognize that the research says that you have to have a minimum of 7 years before you even grasp a language. In fact, all educators would disagree with the gentleman, that there is no reason whatsoever for limiting it for 2 years.

Mr. RIGGS. Reclaiming my time, Mr. Speaker, I would respond to the gentleman's very legitimate and I think sincere question by saying, first of all, it is the goal of the legislation to move all limited or non-English-speaking children, what we call under the bill ''English language learners,'' to English proficiency in 2 years. That is the overarching goal.

We really do believe that a child who enters the public schools should be able to read and write well in English, the official and commercial language of our country. That is the goal. However, the funding limitation in the bill is 3 years.

Furthermore, I would be happy, and I think the chairman of the full committee would be happy, to consider allowing a case-by-case exception to that, so that under exigent circumstances that 3-year funding limitation could be extended.

Let me make one other point, which is, despite the fact we have a 3-year funding limitation under our bill with respect to the Federal programs, there is nothing, of course, in our bill that prevents State and local school districts from using State and local taxpayer funding to continue the education of a non- or limited-English speaking student beyond the 3-year limitation contained in our bill. It only applies with respect to Federal taxpayer funding.

Mr. RODRIGUEZ. If the gentleman will continue to yield, Mr. Speaker, what rationale did the gentleman use to limit it to 2 and 3? Because it was not educational at all.

Mr. RIGGS. Reclaiming my time, yes, it in fact was. We heard expert testimony. I realize that people can differ. My response to this is we heard from many people who are concerned about the fact that our limited or non-English speaking students languish too long in native language instruction programs, in native language instruction classrooms, and that that may be a contributing factor to the unacceptably high dropout rate on the part of Hispanic American students. That is why we are attempting to address this concern with this legislation here and now.

I will further discuss later today a poll that just came out within the last few days, and this is a newspaper article dated August 26, that found that 88 percent, and I want to get the exact number here, 88 percent of immigrant children questioned preferred speaking English, and they are eager to embrace English and eager to make the transition to English proficiency and English fluency at the earliest possible date. I would argue that is the real key to their future academic and professional success in their adult lives.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me thank the gentlewoman from New York, and let me acknowledge that I would like to listen to those 88 percent that my colleague has just announced to America; absolutely, who would say less? Americans, people who come to America, desire to be like Americans and they desire to speak English. What a ludicrous citation. But what this legislation does, it does not enhance that little one's opportunity to speak English, it detracts and denies. This legislation and the rule I oppose and the bill I oppose is accusatory, it is slanted, it is stigmatizing, and it undermines the premise of local control for school districts to educate our children.

We would not go anywhere in America and find people disagreeing with understanding and speaking and reading English, but in fact, there is something else to do. It is educating our children.

This bill jeopardizes our mission, number one, for all providers of primary education to give children a well-rounded education that will prepare them for life as adults. By forcing these children to focus all of their efforts on learning English, these immigrants will fall far behind in math and science, so someone can read but they cannot balance their checkbook.

By imposing a national and unitary standard, we automatically assume that every immigrant child in this country will learn English in the exact same way. If we still want this Nation to maintain the goal of giving every child an opportunity, we must have an individualized approach.

My school district in Houston has a predominantly Hispanic population. We have been cited throughout the State for having the highest performance in reading. That is because we understand, as educators and community, to leave education to educators who will help those children learn English, and my God, can Members believe it, be bilingual.

That is the insult of this bill, it denigrates what we have done in our own States. I would say that this is a bad rule, this is a bad bill, and it stigmatizes Americans, which we should not do.

Mr. Speaker, I rise to speak against the adoption of this bill, which changes the way that English is taught in schools throughout this country.

I oppose this bill because I fear that it will do substantially more harm than good. H.R. 3892 does nothing to improve education, and in fact, potentially hurts those people that it is supposed to help, children.

This bill places in jeopardy what should be ''mission–1'' for all providers of primary education—to give children a well-rounded education that will prepare them for life as adults. By forcing these children to focus all of their efforts on learning English, these immigrants will fall far behind in other important areas of development, such as math and science.

Currently, bilingual education programs are geared to teach immigrant children English, while at the same time making sure that they continue to improve in other academic areas. If this bill succeeds, we are potentially creating a substantial population of adults who may speak English well, but cannot balance their checkbooks. We must remember, language is but one of the skills necessary for people to survive in this world.

I am also opposed to this bill because it voids all of the ''consent decrees'' entered into by local schools, parents, and the Department of Education without adequate deliberation. These consent decrees have been carefully crafted by the proper authorities, with exacting and careful scrutiny, to meet the needs of these children, and to force compliance with our federal Civil Rights laws. We should not void them with the haste with which we are moving.

This bill is also deficient because it imposes a national standard where regional ones would be preferable. Language patterns in this country differ from region to region, and some languages have more in common with English than others. It is fundamentally impossible to paint a portrait of language in America, which requires delicate and careful strokes, with the clumsy and broad brush utilized by H.R. 3892.

By imposing a national and unitary standard, we automatically assume that every immigrant child in this country will be able to learn English in the same, limited amount of time. If we still want to maintain the goal of giving every child in this nation the individualized attention that they require to succeed in this world, then we ought to move away from hardline standards. We should instead allow our state and local governments to determine the most suitable language education policy for their needs.

Furthermore, not only must we reject this bill because it takes decision-making authority from local and state governments, but also because it takes discretion and choice away from the parents who send their children to school. If this bill is passed, parents no longer can select the manner in which their children will learn English. It is wholly inappropriate for the federal government to interject itself into the midst of what is essentially a family decision, and usurp parental authority, in order to control the manner in which a child should learn English.

Parents should be able to choose to enroll their children in some of the new, innovative language programs that are being conducted across the United States. For instance, in both California and Texas, some school districts have instituted voluntary ''two-way language immersion'' programs, which aim to teach children, regardless of their background, both Spanish and English as they make their way through school. These programs produce young children, fully fluent in two languages by the time they leave elementary school. We should not endanger these special programs, especially in light of the successes that they have already managed to achieve.

I strongly urge all of you to vote no on this bill, and protect our states, our parents, and most importantly, our children, from this terrible government intrusion.

Mr. GOSS. Mr. Speaker, it is my honor to yield 2 minutes to the gentleman from the Commonwealth of Pennsylvania (Mr. GOODLING), the distinguished chairman.

Mr. GOODLING. Mr. Speaker, I think I understood the gentlewoman correctly, and if I did, it was a total misinterpretation of the language that is in this bill. I thought she said that this legislation undermines the local school district's ability to teach our children.

This legislation does positively just the opposite. This legislation gives that local school district the opportunity to determine how they transition a student. Instead of Washington, D.C. saying for all these years that there is only one way to do it, it took us 10 years to ever get the 25 percent. The gentleman from Texas was able to move that legislation. He is no longer a member of the Congress, he later became a mayor. But nevertheless, it

took us all that time just to get people to understand that there is more than one way, there is more than one way in order to transition students.

Our whole goal is to make sure there is a quality education for every child. I want to make one other statement. We are not talking about Hispanic legislation today. Let us get that in our minds and keep it there. We are talking about 100-and-some languages in the city of Chicago, we are talking about 100-and-some languages in Virginia, right across the river. That is what we are talking about. So let us try to think about what is in the best interests of getting a quality education to every child. And who knows better than anybody? The local school district.

There are so few people that participate in this program now, we want to make sure, first of all, that more may participate if they wish; but secondly, we want to make sure that they have the flexibility to do it so they can accomplish a quality education for every child.

One size does not fit all, coming from Washington, D.C. I could not believe it when I heard what the whip, the minority whip, said, that we were trying to give a one-size from Washington. That is what we are trying to get away from once and for all.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Speaker, I thank the gentlewoman for yielding me the time.

Do not be fooled by the arguments of the proponents of this legislation, I say to the Members. This legislation does everything but provide an opportunity to learn. It begins to provide some restrictions to the local districts. They have those options to provide those opportunities.

Yes, my colleague is correct in saying that the bilingual programs that are out there are a variety of different types of programs. There are some beautiful programs that are there. I mentioned earlier the dual program approach, where it takes a mono-English child, and be able to participate with the mono-English speaking child in the same way, and they will be able to learn together and go forward.

This particular proposal, the only thing it does, it cuts and does not allow them to go beyond the 2-year period. That is restrictive. I do not know what they call it, but that is a government law that they want to pass that will restrict the local option for them to be able to go forward and be able to do the things that they are doing now.

I also would mention that the Governor of Texas has recognized the beauty of the bilingual program. At a time when we have the global economy, at a time when we are asking our youngsters in high school to have three to four different years so they will be able to learn a different language, we are now saying no, we are going to limit it to 2?

Let me ask the public, if they want to learn a language, do they think they can learn it in 2 years? No. Even the people, the educators, tell us that a minimum of 7 years is required to be able to grasp the language and be able to understand it. So that opportunity needs to be there for all Americans to be able to pick up, especially those youngsters as they move on in our particular schools.

This particular legislation, all it is is to restrict, and what I see, there is no logic to it. It is based on ignorance and apparently it is based on political motivations; also, in terms of racist attitudes, because it hits this, applying it just because of the elections that are coming up in November. That is the reality. It is not based on any kind of educational soundness.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Pennsylvania (Mr. GOODLING).

Mr. GOODLING. Mr. Speaker, I thank the gentleman for yielding me the time.

I merely wanted to ask the previous speaker, when he was saying, as I have heard him say on several occasions, that bilingual education is a beautiful program, I agree with that, but is the gentleman saying that the only beautiful bilingual program is transitional bilingual education? Is that the only beautiful one?

Mr. RODRIGUEZ. Mr. Speaker, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from Texas.

Mr. RODRIGUEZ. No. I am not saying that. In fact, if the gentleman heard me well, I am talking about the dual language instruction program that is a beautiful bilingual approach, where it also brings in the monolingual English-speaking child. That is part of that program. It is a beautiful program.

Mr. GOODLING. That is exactly what we are saying here. Taking back my time, what we are saying here is that they can design those programs locally. All we are saying here is do not say that we have to use a transitional bilingual education or we do not get help, because they have better programs.

I agree with the gentleman, there are beautiful bilingual programs out there. Let us give the local school district the opportunity to choose those that they want to use.

Mr. RODRIGUEZ. If the gentleman will yield further, Mr. Speaker, I ask Members to vote no.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

Mr. GREEN. Mr. Speaker, I thank my colleague on the Committee on Rules for yielding time to me.

Mr. Speaker, I rise not only in opposition to the bill, but also I am concerned a little bit about the rule, even though it is fairly flexible. I rise in opposition to the English Language Fluency Act because the bill makes bilingual education a political issue.

It seems to me that my colleagues on the Republican side have forgotten children should not be a political issue. The English Language Fluency Act is not only an assault on bilingual education, but it is an attack on the very openness and broadness that we have come to value in our country.

We have all come from somewhere. I am proud of my heritage, just like everyone is proud of theirs. We all come from somewhere. Bilingual education was designed on a national basis but enhanced by our local and State governments to provide for that diversity. It is our duty as Americans to make sure our children are educated, and our educational systems must be designed to provide for America's diverse population. This bill would make successful education impossible without destroying bilingual education. It is something our country simply cannot afford.

Let me talk from a Texas perspective, because the State of Texas has provided, since 1973, more money for bilingual education on the State level. We would like to be able to set our own standards, not 2 years or maybe an extra third year. Why should Washington know what the State of Texas or the city of Houston is already doing in our school districts? That is what is wrong with this bill.

The concern I have is that it is a political issue set up for this November 3 election. This bill will not see the light of day in the U.S. Senate after the vote of today.

Let me give some background. I grew up in the city of Houston, went to a majority Hispanic high school in the sixties, before we had a Federal bilingual program or a State program. I watched when students would come in to my high school when I was 16 and 17 years old and try to immerse. Those students did not stay more than a day or two. They dropped out, and that is why bilingual education is needed. It is a transition program, and it is important.

I strongly support bilingual education because it is an essential, transitional tool that allows students to become fluent in English while they progress in subjects like math and science. Eliminating bilingual education would create a society with no mechanism to integrate new citizens into reading and writing English.

Mr. Speaker, I urge a no vote on the bill.

□ 1400

Mr. GOSS. Mr. Speaker, may I inquire how much time remains on either side?

The SPEAKER pro tempore (Mr. SUNUNU). The gentleman from Florida (Mr. GOSS) has 17 minutes remaining, and the gentlewoman from New York (Ms. SLAUGHTER) has 16½ minutes remaining.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. TRAFICANT).

(Mr. TRAFICANT asked and was given permission to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, for some reason everybody is afraid to speak what they really feel. I am not opposed to all of the languages and the different ethnic heritages in our Nation, but I support the English language as our official language.

We are all immigrants. Some came with knapsacks on their backs. Some came in the belly of slave ships. Black, white, Christian, Jew, we all have one thing in common. We are all Americans. And the glue that binds us together is our Constitution, our Bill of Rights, and our language. The English language.

Mr. Speaker, it seems every time we have this debate, it is muddied with the politics of fear. The politics of separation. The politics of division. The politics of hate. The politics of ethnicity. One Nation under God. One Nation, not separate communities. Congress should ensure that America is a nation of one people, not separate communities, and we do that by fortifying our language.

Mr. Speaker, I support English as the official language. So be it. And I advise the Congress to look at it in that vein and remove the politics.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding me this time.

Mr. Speaker, it is unfortunate at this late date in the year when we have not yet had one of the 13 appropriations bills that must be passed in order for this government to function go through the process and when we still have not been able to deal with all of the significant national legislation that is before us, to find ourselves debating a bill that never got an appropriate amount of time to be heard, were never given an opportunity to bring on those who are experts in the area of bilingual education to testify, and never, never gave the minority in the House of Representatives the opportunity to participate in the drafting of this legislation.

This is a bill which affects Title 7 of the Elementary and Secondary Education Act. The Elementary and Secondary Education Act in 4 months is going to go through a total reauthorization, a revamping. Why, when that is 4 months from now, are we plucking out only one of the titles in that most important of bills that deals with education at the Federal level? We could only guess why. But to do it at a time when we are only 8 weeks away from an election, to do it at a time when there was an election in California in June that dealt with, in part, this issue of bilingual education leads a lot of us to be suspicious.

Mr. Speaker, why not have a full and fair opportunity to really air the issue of bilingual education? If my Republican colleagues really believe that we can make some changes that are meaningful, then let us discuss them. There is no reason why we cannot make changes, but let us do them in a way that will not impact negatively the 3.2 million children in America that are limited-English proficient and are yearning to learn English.

Mr. Speaker, as the poll we cited a moment ago showed, 88 percent of immigrant persons are who not yet proficient in English would love to learn it. Of course they would. Who would not want to be able to go to the playground and play with his or her peers? That is not the point. The point is to make those resources available to teach these kids. This bill does none of that.

Mr. Speaker, this bill does none of that. If we were truly trying to address the issues of educating our kids, and in this case the millions of our children who are yearning to learn English, we would not do this in a rushed way and we would not do it in a way that takes away the control that local districts have right now in how they educate their kids.

Certainly, if there was a sincere effort to do this, we certainly would not undo the 288 different consent decrees that we have across the Nation where school districts have come together with the Office of Civil Rights and the Department of Education and said, ''You are right. There is evidence that we were not properly educating children who are not English proficient. And you are right, we should do something and we agree voluntarily to do something.''

Mr. Speaker, they entered into consent decrees, written and now enforceable, that say that these districts will do certain things. Now, for this legislation to say all of those consent decrees voluntarily entered into by all of those school districts are null and void is shameful. Because what is to say that those of us here in Washington, D.C., know better than the folks that are in those 288 school districts, or any of the school districts in our Nation that have decided how best to educate their kids? It is unfortunate that my Republican colleagues have decided to completely take away that local control from those school districts to make those important decisions.

There is every opportunity for us to have meaningful debates on bilingual education, the merits, demerits, the same as we should have debates on public education, private education. But to say that because we have one single hearing in this body here in Washington, D.C., where only one of the witnesses, except for the two Members of Congress, one Member of Congress opposed to bilingual education, one Member supporting bilingual education, but all the other so-called expert witnesses, 11 witnesses, only one could speak on behalf of bilingual education, that is not meaningful. That is why procedurally we should defeat this rule.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, I rise today to express my strong opposition to H.R. 3892, the English Language Fluency Act. Pure and simple, this bill is riddled with problems and does little in the way of promoting English fluency.

In my home State of Texas, there are almost half a million limited-English proficient children. Across the country, there are close to 3.5 million LEP students. What H.R. 3892 will do is severely hurt these millions of children who are well on their way to learning English. Let me tell my colleagues why.

Under the pretext of parental choice and flexibility, the gentleman from California (Mr. RIGGS) introduced H.R. 3892 on April 1, 1998 and scheduled a hearing on the bill 1 month later. Oddly enough, and I am a member of that committee, the panel of invited witnesses included only one individual who opposed the Riggs bill; a school superintendent from my own home State of Texas. The other eight witnesses the gentleman invited to testify included English-only proponents such as English First and the Center for Equal Opportunity.

After the hearing, the gentleman from California, my friend, substituted his initial bill for another H.R. 3892 which contains numerous flaws. Let me count them for my colleagues.

Problem number one: H.R. 3892 effectively eliminates Federal support to prepare, recruit and train qualified teachers to teach language-minority students.

Problem number two: This bill lowers standards and expectations for our limited-English proficient students. H.R. 3892 emphasizes mastering English as quickly as possible at the expense of academic and analytical skills. Under the gentleman's bill, schools would be required to focus solely on teaching LEP students to learn English. What about the essentials of the art of learning?

Problem number 3: H.R. 3892 repeals the Immigrant Education Act and replaces it with a loosely structured block grant to States based on the number of LEP immigrant children in their State. Under this proposal, needy school districts will receive even less money, as the bill does not require States to distribute funds in accordance with need nor merit.

Problem number 4: The bill violates the civil rights of language-minority children. Under this bill, Congress would void all past and current voluntary compliance agreements regarding bilingual education entered into by local schools, parents, children, and the Department of Education without even contacting the parties involved or reviewing individual agreements.

Problem number 5: This bill infringes on the ability of local schools to make critical decisions on appropriate curriculum and assessments.

Mr. Speaker, there are many more problems with this bill. For purposes of time, I will not elaborate.

In conclusion, I strongly urge all my colleagues to vote against this hastily drafted bill. Let us wait until next year when we do the reauthorization of K–12, and let us do it through the due process so we can bring in experts from throughout the country, that we can have field hearings and really do what is best for children. Because children can learn the art of learning in any language, be it English, German, Polish, Italian, whatever the language. But they need to hear it in a language that they can understand the teacher. We want the process to be followed and that the reauthorization be given this legislation.

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. TORRES).

Mr. TORRES. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding me this time.

Mr. Speaker, I rise to state my strong opposition to H.R. 3892. This bill is simply shortsighted. It is politically motivated. It is a form of legislation to outlaw any form of bilingual education.

I am sure that the gentleman from California (Mr. RIGGS) hopes to restrict funding that would assist students as they transition to English fluency while simultaneously developing their learning skills. This anti-bilingual education legislation follows a misguided, poorly developed trend in my own home State of California.

Currently, a barrage of lawsuits and appeals have been filed in California to challenge the civil rights violations of the recently passed Proposition 227. This is not a wise direction for Congress to take until the courts and the States sort out who has emerged as a very serious violation of rights.

There is no doubt about it. There appears to be an anti-immigrant movement in this body, and the English-only movement appears to be the primary vehicle. This sentiment is not only un-American, it strikes at the core of cultural diversity that enriches our society. And I firmly stand opposed to any attempts to legislate English as our official language or to eliminate bilingual education programs.

English, my colleagues, is already the official language of the United States. There is no other language other than English. But bilingualism is a resource in our global economy. And I, as a person, have traveled and lived in the world and my experiences have been enriched by my ability to communicate in other languages.

Just like other educational programs, bilingual education works only if it is properly implemented. A quote from the New York Times on April 30 regarding the California proposition states that, ''replacing bad programs with a plan to destroy good programs makes no sense. (And the plan to eliminate bilingual education) . . . will not help bilingual students enter the mainstream any quicker.''

Education must be the number one domestic policy to prepare America's children for the 21st century. Bilingual education must be available to meet the demands of the fastest growing ethnic group in the country.

One of the greatest problems for our children is the shortage of skilled bilingual education teachers. The opportunity to improve bilingual education must focus on teacher recruitment and professional development. That is a goal that I and my colleagues will pursue. I urge my colleagues to vote against this terrible legislation.

Mr. GOSS. Mr. Speaker, I would like to advise the gentlewoman from New York (Ms. SLAUGHTER) that since my last statement on this fact we have had a speaker come forward and ask to speak for a minute. I wanted, in the interest of fair play, to advise her.

Mr. Speaker, I yield 1 minute to the distinguished gentleman from Pennsylvania (Chairman GOODLING).

□ 1415

Mr. GOODLING. Mr. Speaker, as I tried to point out earlier, we are not talking about a language, we are talking about more than 100 languages.

I would like to also point out at this particular time we are talking in this language about 583 grants. There are 16,000 school districts in this country, public school districts. There are 110,000 schools. We are talking about 583 grants, many of which do not even go to school systems. They go to other organizations.

So let us keep all of this in perspective. Most of the help that goes to LEP children comes from Title I, not from this program, from Title I.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentlewoman from New York for yielding me this time.

Mr. Speaker, I rise in strong opposition to this legislation because I feel that it undermines the efforts that have been made in the past to provide this special service to LEP children. The chair of the subcommittee says that a great deal of assistance is already provided under Title I for limited-English proficient children. That is probably true.

But this is a special program which really stemmed from a lawsuit, the Lau v. Nichols lawsuit, which said that children cannot be expected to be able to have equal educational opportunity unless they understood the message that was being transmitted to them in a classroom; and if that language that was being used in the classroom was something they could not understand, then how could they be educated?

The thing that offends me the most about this legislation is the nullification of all of the consent decrees which have been put in place from hundreds of school districts in order to make sure that these children from limited-English backgrounds do, in fact, have in place these special programs.

It seems to me that this Congress is being asked in this bill absolutely extraordinary intervention, not only in a judicial decision, but in the ability of the local school districts to implement the requirements in those consent decrees. I do not believe that that is our business, nor should we be exercising any jurisdiction or authority in this regard.

The second thing that I find very offensive is the idea that ''one size fits all'' in that we have the wisdom to make a determination that a 2-year time limit is all that the program is to have. I do not think that takes into account some of the very, very difficult language situations that are confronted by many of our school districts.

I have a very large number of children that need this special assistance. So I urge this House to vote down this bill as not being one which properly subscribes to the idea of equal educational opportunity.

Mr. Speaker, I rise today in strong opposition to H.R. 1892, the English Language Fluency Act, which will undermine current efforts to provide bilingual education services to limited English proficient children.

The bill imposes an arbitrary time-limit for federal bilingual education assistance of two years. Proponents of this legislation clearly do not understand the nature of learning. Children learn at different speeds. To expect a child whose first language is not English to be able to understand scientific and mathematical terms after only one or two years of English is not realistic.

This arbitrary time limit will force local programs to utilize one particular instructional method—English Immersion. This takes away control from the local school system, administrators and teachers to decide what form of English instruction is best for a particular school system or a particular child.

The Majority has constantly preached the idea of local control of education, yet we have a bill before us that takes away local control and imposes strict federal requirements for bilingual education. There is no evidence that the English Immersion method is any better than other bilingual education methods. What is best may differ from community to community or from student to student. That is why we have always stood for local control over curriculum and teaching methods.

The bill does further damage to the current bilingual system, by eliminating the professional development program. One of the greatest needs in our schools are qualified, trained bilingual teachers. Many school systems have to deal with a myriad of languages. Having qualified teachers who can teach children who speak Spanish, Chinese, Vietnamese, Hmong, Filipino, Thai, Malaysian is essential to the future academic success of children who speak these languages. Teachers with knowledge of a student's native language can help that student make significant progress in learning English and in other academic areas. The professional development

program helps to train speakers of foreign languages and others to teach bilingual education. But under this bill federal support for this important purpose will be eliminated.

Mr. Speaker, I also oppose this legislation because it makes a significant change in the way programs are funded. The block grant structure of the bill ignores the fact that children who need bilingual education services are concentrated in certain areas of this country. Under current law, school districts in areas with high concentrations of bilingual students are able to apply directly to the U.S. Department of Education for bilingual education funds under a competitive grant program. Under the Riggs bill the funds will be distributed to each state based on the number of LEP children in each state. This structure diffuses the impact of limited federal dollars for this purpose.

Furthermore, the U.S. Department of Education states that there is currently no reliable data which would assure an equitable distribution of funds under the formula. Hawaii will lose $464,000 or 43% or our bilingual education funds under the funding formula in H.R. 3892, because Hawaii is estimated to have only 12,611 LEP students.

Finally, Mr. Speaker, the enactment of H.R. 3892 would jeopardize the civil rights of students of limited English proficiency by voiding all of the voluntary Compliance Agreements entered into by the Department of Education, Office of Civil Rights with school districts that were out of compliance with Title VI of the Civil Rights Act.

Schools with limited English proficient (LEP) children are required to assure equal educational opportunities for LEP children. This is required under a 1974 Supreme Court ruling which states that in order to provide equal educational opportunities to LEP children, school districts must take affirmative steps to rectify language deficiencies.

These Compliance Agreements help school districts comply with the Supreme Court ruling and Title VI of the Civil Rights Act to provide equal educational opportunities to LEP children. The unilateral nullification of these Compliance Agreements is an unprecedented effort to gut the enforcement of the Civil Rights Act.

Mr. Speaker, H.R. 3892 will take us back to a time when we did not protect the rights of limited English proficient children to receive equal educational opportunities. We must defeat this bill and look toward improvements in our bilingual education system that will allow us to reach more children, train more bilingual education teachers, and improve the academic achievement of limited English proficient children.

Ms. SLAUGHTER. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore (Mr. SUNUNU). The gentlewoman from New York (Ms. SLAUGHTER) has 2½ minutes remaining. The gentleman from Florida (Mr. GOSS) has 16 minutes remaining.

Ms. SLAUGHTER. Mr. Speaker, I yield 30 seconds to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, I rise on behalf of the student I spoke to on Tuesday in Branceforte Middle School in Santa Cruz, Lisa Morelas. She said one thing. She said, kids are dropping out because they cannot get access to the transition of bilingual education.

It seems to me that our commitment here as Members of Congress is to keep that hope alive, not just political promises alive. We have got to measure student performance, not political performance. The student performance says, let them learn English through the bilingual program. Do not cut the program. Do not cut the safety net. Oppose this amendment.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. RIGGS).

Mr. RIGGS. Mr. Speaker, I just want to clarify a couple of points because I want to believe that my colleagues on the other side of the aisle are being sincere and not disingenuous in the arguments that they make against the legislation.

For purposes of having an informed debate when we move to general debate and debate on the amendments, let me again refer my colleagues to page 5 of the bill, the 3-year, not 2-year funding limitation in the bill. Just take a moment to glance at it, if you would.

Secondly, let me say to the gentlewoman from Hawaii (Mrs. MINK) and others who just spoke of court-ordered consent decrees, the bill does nothing with respect to court-ordered consent decrees. It only addresses administrative compliance agreements between the Federal Department of Education, Office of Civil Rights and local school districts. We do not in any way encroach on the prerogatives of the judicial branch of government.

Lastly, with respect to local control, my good friend, the gentleman from California (Mr. MARTINEZ), put out a ''Dear Colleague'' saying this somehow guts local control. This bill is all about local control, allowing local school district to select the bilingual instruction method that they deem most appropriate and then requiring them to get the formal written consent of parents before the child can be placed in the program.

Ms. SLAUGHTER. Mr. Speaker, I yield the remainder of my time to the gentleman from California (Mr. MARTINEZ).

The SPEAKER pro tempore. The gentleman from California (Mr. MARTINEZ) is recognized for 2 minutes.

(Mr. MARTINEZ asked and was given permission to revise and extend his remarks.)

Mr. MARTINEZ. Mr. Speaker, regardless of what we do here today, we as a nation are going to survive, and certainly English as a language is going to survive. But if we want to look at the motivation behind this by a lot of people on that side, and we talk about sincerity and believe it, we are sincere over here when we believe that this is going to do more harm than it does good, especially for those limited-English-proficient students.

My friend, the gentleman from Pennsylvania (Mr. GOODLING), whom I respect very much, states the idea that there are so many different languages spoken in different school districts. This is throughout the country. Nothing in the current law indicates to school districts how they will, unlike this law, will teach their children bilingual education. They just say that those children need to get a full and meaningful education and that language is a part of that education and that understanding that language is a part of that education.

My friend, the gentleman from Ohio (Mr. TRAFICANT), gives us a solid motivation why this bill is before us now when he says I believe in English. We all believe in English. I should have started this out by saying—(the gentleman from California, Mr. MARTINEZ, spoke in Spanish)—and I will bet my colleagues, almost every person in the United States understands what that is.

There is nothing wrong with knowing and speaking other languages. But more importantly, there is a very, very central issue here, that children need to learn English well enough to learn other subject matters in English. They cannot do that under this bill.

Two years is a time limit, the first yardstick by which these people are going to be measured. Then they are going to be tested not in Spanish so that you can determine adequately how well they learned English, but only in English where they may not have learned. If somebody deems that they are worthy of another year's extension, they will get another year's extension. But remember, the first measure, the first yardstick is 2 years.

I want to ask my colleague, how much language and what language could he learn in 2 years? I doubt if there is any language that he can become proficient in. The idea of this is LEP, limited English proficiency; that is the key.

Mr. GOSS. Mr. Speaker, I yield myself such time a I may consume. I will not use all of my remaining time. There are a couple of points that I would like to make.

First of all, I would like to start out and say this is actually a debate about the rule. We have not heard much about this rule, which I think is good, because I think it is a fair and appropriate rule for the matter at hand.

As sometimes happens when you have a reasonably good rule or a good rule, in the debate on the rule, the time allotted, the debate spills over into the merit of the issue; and that has clearly happened in this place. So I take it we have got a pretty good rule, and I will not talk anymore about that, and I hope everyone will support it.

But before I yield back all of my time and move the previous question, I would like to point out that I do not think there is anything in this bill, in fact I have been assured by the gentleman from California (Mr. RIGGS) and

the gentleman from Pennsylvania (Mr. GOODLING) that there is nothing in here, that this is an English-only bill. I don't know where that came from. The gentleman from California mentioned it as part of some kind of anti-immigrant plot. Not so. There is none of that in here.

What is in here is a good-faith effort to try and improve the fluency of people who do not speak English and allow them to transition into an English-speaking society, which we are in the United States of America; and I think it is a genuine and good effort.

We may disagree whether we have got the right way or the wrong way, but we have certainly provided ample time for debate to deal with that.

I note that several of our colleagues from the other side of the aisle are a little scared of the 3 years that this program enrollment period goes for, and it is 3 years, not 2. They are worried about meeting some kind of a standard or a merit or having any kind of a measure of performance applied.

I can tell my colleagues that I have youngsters in my district who have been in these programs for 4 or 5 years, and they are not learning English. They are stuck in their own community, not taking advantage of becoming English speakers, even though their parents wish them to be fluent and proficient in English because they understand how important that is for the future. Yet, these programs are not working.

I think it is fair to say that we do not have a complete success story or anything like it in the status quo. We are trying to find a way to move forward from the status quo.

I notice my colleagues on the other side have suggested that the status quo is better than what we are presenting, in their view; and in some cases, they have offered some gutting amendments or will offer some gutting amendments, I am told. But I have not heard about any great new programs or any great new ideas.

We have now carved out 3 hours of amendment time. This is a good time to bring forth some brave new ideas, if you have not been able to do it yet. I challenge my colleagues to do that.

I would suggest that my colleague, the gentleman from Pennsylvania (Mr. GOODLING), the chairman, and the gentleman from California (Mr. RIGGS), who is the author of much of this, have done a pretty good job of bringing forth some new ideas. I think it is extremely important that we debate these ideas in a fair way, and that is why we have so much time scheduled for the amendments and any thoughts that anybody has.

In fact, as we have seen, we have used a good part of our rule discussion dealing with trying to understand what the issue is here right now. We have heard all kinds of statements made several times, and it seems like it is getting to be a mantra that somehow or another we are taking away local control. On the contrary, this bill provides for more local control.

Everybody knows that that is one of the planks of the GOP policy is to go to local control for our education people back in the community. This is very consistent with that; otherwise, I do not think this legislation would have gotten this far.

So I think to try and mischaracterize this as any way taking away local control is not straightforward. The idea that perhaps we are trampling on some children's rights by trying to help them learn language and become proficient in the language of our country, which is primarily English, seems to me to be a little bizarre. I think trying to help out our youngsters is a very important thing.

I do note that one of the speakers on the other side mentioned that children are not a political issue. I quite agree that children should not become a partisan political issue. But I do believe children are very much part of our process, and I believe it is very important to legislate and look out for your youngsters.

That is why most of the people who have reached my age in life get out of bed in the morning and go to work, to make sure that what our kids have is a little better than what we started with if there is a way to do that.

So I think that we are trying to do something honorable and something useful and something beneficial for our Nation's children. I think we are trying to do it in a very, very reasonable way. I say that because I hate to see these debates hijacked and scare tactics.

I remember very well some years ago I went home to town meetings and was informed by people there that we were not going to have any longer a school lunch program, and mean-spirited people were going to take away children's school lunch program. That was bologna. That was hogwash. It was not true. It never was true. But it was a great story. It was partisan politics at election time.

This bill deserves better than that. This is a good bill, and it should be discussed for what it says, not what some people keep characterizing that it might say.

So I would urge my colleagues very much to pay attention to this debate, that we go forward now with this rule, that we get into this debate. I hope people will agree that this is a very honorable effort to improve the process of bringing those who do not speak English into the society that does speak English and in this place we call the United States of America.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 3694, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1999

Mr. GOSS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3694) to authorize appropriations for fiscal year 1999 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement Disability System, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida? The Chair hears none, and without objection, appoints the following conferees:

From the Permanent Select Committee on Intelligence, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

Messrs. GOSS, YOUNG of Florida, LEWIS of California, SHUSTER, MCCOLLUM, CASTLE, BOEHLERT, BASS, GIBBONS, DICKS, DIXON, SKAGGS, Ms. PELOSI, Ms. HARMAN, Mr. SKELTON and Mr. BISHOP.

From the Committee on National Security, for consideration of the House bill and Senate amendment, and modifications committed to conference:

Mr. SPENCE, Mr. STUMP and Ms. SANCHEZ.

There was no objection.

□ 1430

ENGLISH LANGUAGE FLUENCY ACT

The SPEAKER pro tempore (Mr. SUNUNU). Pursuant to House Resolution 516 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3892.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3829) to amend the Elementary and Secondary Education Act of 1965 to establish a program to help children and youth learn English, and for other purposes, with Mr. LAHOOD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from Missouri (Mr. CLAY) each will control 30 minutes.

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

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

Mr. Chairman, I want to make a couple of preliminary statements that I