Mr. COMBEST. Mr. Chairman, on rollcall No. 314, the Paul of Texas amendment, I was inadvertently detained. Had I been present, I would have voted ''yes.''

Ms. PRYCE of Ohio. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FOLEY) having assumed the Chair, Mr. CALVERT, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2415) to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes, had come to no resolution thereon.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, on Monday, July 12, 1999, because of weather conditions, my plane was detained, and I would like the RECORD to reflect how I would have voted on the following votes had I been present:

On rollcall vote 277, a vote on the approval of the Journal, I would have voted ''yea.''

On rollcall vote 278, on House Concurrent Resolution 107, dealing with rejecting the conclusions by the American Psychological Association, I would have voted ''yea.''

On rollcall vote 279, concerning the United Nations, I would have voted ''yea.''

TEACHER EMPOWERMENT ACT

Ms. PRYCE of Ohio. Mr. Speaker, by the direction of the Committee on Rules, I call up House Resolution 253 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 253

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1995) to amend the Elementary and Secondary Education Act of 1965 to empower teachers, improve student achievement through high-quality professional development for teachers, reauthorize the Reading Excellence Act, 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. 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. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report 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. All points of order against the amendments printed in the report are waived. 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 committee amendment in the nature of a substitute. 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.

Ms. PRYCE of Ohio. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the distinguished gentleman from Massachusetts (Mr. MOAKLEY), the ranking member of the Committee on Rules, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 253 is a structured rule providing for the consideration of H.R. 1995, the Teacher Empowerment Act. The rule provides for 1 hour of general debate equally divided and controlled by the chairman and ranking member of the Committee on Education and the Workforce. For the purpose of amendment, the rule makes in order, as an original bill, the committee's amendment in the nature of a substitute now printed in the bill.

Under this fair and balanced rule, 12 amendments are made in order, 6 offered by Democrats and 6 offered by Republicans. That means Members from both sides of the aisle will have equal opportunity to amend this bill.

The rule makes in order a number of minor amendments as well as an amendment offered by the gentleman from Pennsylvania (Chairman GOODLING) which reflects bipartisan compromise on a number of issues and a substitute amendment offered by a Democrat member on the Committee on Education and the Workforce.

All 12 amendments are printed in the Committee on Rules report and may be offered only by a Member designated in the report.

The amendments shall be considered as read and shall be debatable for the time specified in the report. These amendments are not subject to amendment or a demand for a division of the question.

□ 1215

All points of order against the amendments are waived.

In addition to the amendment process, the minority will have another opportunity to change the Teacher Empowerment Act through the customary motion to recommit, with or without instructions.

Finally, the rule allows for orderly and timely consideration of the bill by allowing the Chair to postpone votes and reduce voting time to 5 minutes on a postponed question, as long as it follows a 15-minute vote.

Mr. Speaker, we can all remember our favorite teacher who made school more interesting and learning more exciting. These special individuals had a lasting impact on us and contributed in a major way to our attitudes toward school and our development as young people.

We cannot underestimate the value and influence of a good teacher, and our investment in teachers should reflect their worth.

The Teacher Empowerment Act recognizes teachers as perhaps the most important determinant in our children's academic success, and the bill seeks to enhance student performance through funding programs to improve teachers' skills.

Specifically, H.R. 1995 streamlines the Eisenhower Professional Development Program, Goals 2000, and the ''100,000 New Teachers'' program to give States and localities more flexibility in their use of these funds to advance teachers' professional development.

Ninety-five percent of these funds will be distributed to local districts where those who are most familiar with the needs of their local schools will play a greater role in determining how the money is used to provide teachers with the tools to improve student learning.

Some of my colleagues oppose the consolidation of government programs and may fear local control. But given the failure of a bloated education bureaucracy and the micromanagement of education by the Federal Government, it is hard to understand any aversion to the reasonable changes this legislation envisions. It is time to challenge the status quo and move our education dollars to the local level to give school boards, principals, and teachers some flexibility to use these dollars as they see fit.

That does not mean we are giving away Federal dollars, turning our heads the other way and hoping for the best. The Teacher Empowerment Act actually increases accountability to parents and taxpayers by providing public access to information about the qualification of teachers and the average statewide class size. Additionally,

local districts and schools will be measured by performance indicators and goals set by their State and accepted by the Federal Government.

The remaining 5 percent of funds available through the Teacher Empowerment Act may be used for a variety of purposes, including oversight of local programs and assistance for schools that are failing to raise student achievement.

The funding flexibility this legislation provides will help local education agencies to recruit, reward, and retain the very best teachers.

For example, the bill encourages States to develop innovative programs that promote tenure reform, teacher testing, alternative routes to teacher certification, merit-based teacher performance systems, and bonus pay for teachers in subject areas where there is a shortage of qualified candidates.

One criticism of the bill that I would like to address is the administration's concern that this legislation undermines the President's ''100,000 New Teachers'' Class Size Reduction program. In fact, the bill requires funds to be used to hire teachers to reduce class size.

It is true that this requirement is not a Federal mandate, like the President's proposal. It may be waived, but only if it is in the best interest of the students to do so. For example, the requirement could be waived in cases where reducing class size would mean relying on underqualified teachers or inadequate classrooms. This is exactly the type of common sense flexibility we need to insert into our Federal education policies.

In addition to teacher training and education class size, the Teacher Empowerment Act continues an emphasis on basic academic skills, including math and science programs. This is an area in which a lack of qualified teachers is evident in the poor performance of U.S. students, whose achievement is falling behind that of children in other developed countries.

Under the bill, localities must continue to expend the same amount on math and science programs as they would under the existing Eisenhower program, with limited exceptions.

Along those lines, I am pleased that the Teacher Empowerment Act will allow for continued funding of the Eisenhower National Clearinghouse for Mathematics and Science Education, which is located at Ohio State University.

The ENC serves as the Nation's repository of ''K'' through 12 instructional materials in math and science education. Its collection of almost 15,000 curriculum resources is the most extensive in the Nation and provides a reliable resource for any teacher interested in professional or curriculum development.

Since its creation in 1992, the ENC has distributed almost 4 million CD–ROMs and print publications, and its Web site received over 14 million hits just last year.

This program's success in collecting and disseminating information on the best practices in math and science education deserves our continued support.

In addition to math and science, the Teacher Empowerment Act also places an emphasis on technology by encouraging school districts to train teachers in the use of technology and its application in the classroom.

The legislation also promotes reading and writing skills by extending the authorization of the Reading Excellence Act and providing a separate authorization for the National Writing Project.

Mr. Speaker, this legislation promotes smaller classes, encourages innovation through local control, and emphasizes basic academic skills to improve student performance. But, most importantly, the Teacher Empowerment Act recognizes the value of the individuals who interact with and provide guidance to our children on a daily basis.

The ability of teachers to connect with children and peak their interest in learning is a gift that some have, but more commonly it is skill that teachers must learn. This legislation invests in teachers by giving them access to the tools they need to make a positive impact on our students' success.

I congratulate the gentleman from Pennsylvania (Mr. GOODLING) on his great work, and I urge my colleagues to support this fair and balanced rule, which will allow the House to debate, improve upon, and pass the Teacher Empowerment Act. It is a good rule and an important bill, which takes another step forward in meeting our responsibility to ensure that every child has access to a quality education and the opportunity to learn and grow in a safe environment.

I urge a ''yes'' vote on both measures.

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

Mr. MOAKLEY. Mr. Speaker, I thank my dear friend and colleague, the gentlewoman from Ohio (Ms. PRYCE), for yielding me the customary half hour, and I yield myself such time as I may consume.

Last year the Congress passed funding to help hire 100,000 new teachers across the entire country, and parents from Montana to Massachusetts cheered. Now my Republican colleagues are going back on that promise to American parents and making it open season on the funding of new teachers. Schools can now dip into the money for any program remotely related to education, and the only thing that we will lose is more teachers.

Yesterday, I received a letter from the Superintendent of the Boston public schools saying that, under this bill, it will lose 12 to 15 percent of its current allocation. And we just cannot afford it, Mr. Speaker. I do not know about other parts of the country, but we in Massachusetts want our students to get every possible advantage we can give them, particularly smaller classes. But this bill does exactly the opposite. It will actually make our classes larger.

The administration opposes this bill and for good reason. This bill fails to guaranty American students small class sizes of 18 students in the early grades, when they are particularly in need of a teacher's attention. We all know that once a class reaches about 35 to 45 students, it really does not matter too much whether a teacher is qualified or not. No matter how good they are, they spend most of their time policing and not enough time teaching.

Although the bill provides an enormous amount of money, it does not target that money towards the neediest areas where our children are suffering the most. Mr. Speaker, my colleague, the gentleman from California (Mr. MARTINEZ), has a proposal that will help fund the new teachers for areas with big class sizes. It will also give the areas that cannot find certified teachers the funding to recruit and train new teachers. The amendment that the gentleman from California offers also provides almost twice the teachers as the other bill.

But this rule will only allow 40 minutes of debate on the Martinez substitute instead of the traditional 60 minutes. And to make matters worse, well over half the amendments authored by the Democrats were not allowed under this rule, while nearly every single amendment authored by a Republican was allowed.

Mr. Speaker, from what I hear, those Democratic amendments are very good, so good that they probably would have passed. And that is probably the reason they are not allowed anywhere near this House floor today. The base text of this bill needs as much help as it can get, and some of those Democratic amendments would have helped this bill a great deal. But, apparently, that is not what my Republican colleagues wanted.

For that reason, Mr. Speaker, I urge my colleagues to oppose the rule and to oppose the bill in its current form.

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

Ms. PRYCE of Ohio. 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 just want to make sure that the gentleman from Massachusetts (Mr. MOAKLEY) corrects the superintendent, because, of course, in the manager's amendment, in the en bloc amendment, no public school loses any money. No public school loses any money.

And I might also remind the gentleman that there was only one amendment offered in committee. Only one amendment. I do not know where all the others were, but there was only one offered in committee.

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

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume to answer my dear friend.

There was only one amendment. It was an en bloc amendment that contained all the amendments.

And, Mr. Speaker, I would like to read from the letter of the Superintendent of the Boston Public Schools.

Dear Mr. Moakley: I understand that the Teacher Empowerment bill passed two weeks ago by the Education and the Workforce Committee will be considered on the House floor as early as Tuesday, July 20, 1999.

I am urging you to oppose this bill unless the well-targeted Class Size Reduction program is removed from the block grant and retained in its current form. I estimate that Boston would lose 12 to 15 percent of its current allocations under the current bill.

Sincerely,

Thomas Payzant, Superintendent, Boston Public Schools.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER).

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, later today after the adoption of the rule, we will have the debate on what I believe is a historic bill in this sense; that we have been funding the Title I program and Teacher Improvement Program now for several decades, and never during the process of that program did we ever ask that they use this money to hire qualified teachers and that the States, in fact, put a qualified teacher in every classroom. This legislation, both the Martinez substitute and the bipartisan bill, requires both of that.

At the same time, it also makes it very clear that we carry out the intent of the ESEA bill, which was to provide Federal assistance to close the gaps between educationally disadvantaged young children and others in our society. Yet as we continue to measure it, the gap continues to widen all over the country.

For the first time in the 30-year history of this program, we are asking the school districts be measured and be held accountable for closing the gap between majority students and minority students and between rich students and poor students so that in fact all students can learn under our system.

We know that the biggest single factor in the ability of a child to learn in our educational system is the quality of that teacher; yet we find ourselves throughout this country saddled with tens of thousands of teachers that are not qualified to teach in the core subject matters in which they are teaching. This legislation says that the Federal money ought to be used for that.

This Federal legislation also preserves the President's program for 100,000 teachers. I would prefer to preserve it as the Martinez substitute, which will be offered later, does. But the fact of the matter is it is also very logical to look at the way the bipartisan bill does this, which says schools must use this money for class size reduction; but if they cannot hire competent teachers, they do not have the facilities to do it properly, then they can use the money until such time to go ahead with teacher development, improvement, and training, all of the things we know are absolutely essential all over this country to improve the professionalism of our teacher core and to make sure they are in fact certified and qualified to teach in their core subject.

□ 1230

It is for that reason, Mr. Speaker, that I will be voting for the Martinez substitute. I will also be voting without reservations other than the targeting matters for the bipartisan Goodling substitute that will be offered later this afternoon. I would hope that Members would focus on the issues of teacher quality and accountability, because for far too often, we have put in over $125 billion into this program and we have neither gotten teacher quality out of this program nor have we gotten the accountability of school districts for improvement of the students which the money is designed to help.

I would urge Members to consider, certainly on our side of the aisle, voting for the substitute, also voting for the bipartisan legislation.

Ms. PRYCE of Ohio. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the distinguished chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I thank my friend for yielding me the time and congratulate her on the fine job that she is doing.

As my friend from Martinez, California, has just said, this is a bipartisan bill. It is very important. At the beginning of the 106th Congress, we established four priorities that we wanted to address. Number one of those items was to improve public education. We all know that as we look at education in this country, we have a superb postsecondary education system, but at the primary and secondary level, we have some great school districts around the country and some great, great schools, but we also have some very serious problems.

So as we look at improving public education, what is it that we must do? We have got to provide a little more flexibility to those school districts so that they can address many of the needs that are out there.

Now, we saw the much heralded call for 100,000 additional teachers. That is great. It sounds wonderful. But it seems to me as we look at school districts around the country, there are issues other than simply adding teachers that they want to address. And what H.R. 1995 does is it allows for that flexibility.

I want to congratulate the gentleman from Pennsylvania (Mr. GOODLING), the gentleman from California (Mr. MCKEON) and the others who are working with Democrats to make sure that this is a bipartisan issue. I am also proud of the way that we have structured the rule. It, in fact, has an equal number of amendments from our friends on the Democratic side and an equal number of Republican amendments. I think that with the kind remarks that have been made by Democrats here in support of the committee work, although yesterday afternoon I have to admit there was kind of an interesting debate and it is not unanimous. There are some who frankly want to still have more Federal involvement in the area of education and they want to involve themselves in micromanaging it. We want to provide flexibility. This bill does that. The rule allows for a free-flowing debate. I urge my colleagues to support it.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. OWENS).

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

Mr. OWENS. Mr. Speaker, since the American public in poll after poll has indicated that Federal assistance to education is a number one priority, every major education bill which comes to the floor should come with an open rule. The opportunity to discuss education policies and programs should not be constricted and oppressed as they are in this rule. The opportunity to let the voters hear a full debate must always be encouraged.

What the Republican majority is doing is supporting this antidemocratic, piecemeal approach in the hope that they will accomplish the ultimate attempt of the Republican majority to move us to a situation where the role of the Federal Government in education is abolished. They are really still pursuing the goal of abolishing the role of the Federal Government, and a block grant is their desired result.

This is the second beachhead for the block grant. Ed flex was the first one. This is the second one. By eliminating the President's initiative for a reduction in classroom size, it is one more step to move the Federal Government out of education and allow for a total block grant to go to the States with the Governors having an opportunity to use the money as they see fit.

This rule is crafted to limit debate, maximize confusion and vigorously promote the perverted Robin Hood mentality which will take resources concentrated in our present Federal policy toward poor schools and spread it for other purposes while authorizing no significant new funding. Our committee does not demand new funding to take care of the education needs that have been identified by the American voters.

Educationally, this is a Robin Hood operating in reverse. It is going to eliminate Federal priorities, throw away accountability, and it will pilfer the money from the poor. It will take from the poorest schools where education policy presently directs money and spread it out and not provide any new resources.

We have a budget surplus now. Why do we not make a demand on some portion of that surplus for education instead of robbing from the poor to take care of needs that are definitely there? We need to modernize our schools, we need to secure our schools, we need money for school construction; across the board all of the efforts to improve education are honorable, but they need resources. You do not solve the problem by taking resources from the areas where you have the greatest need. The core of the festering problem in education is in the poorest schools in rural areas and in big cities.

What we are doing with this bill is moving toward a maneuver which will rob those schools in favor of spreading the money and making it appear that we have done something for education here in Washington. This is not the appropriate move. It is going to lead to a block grant where we lose Federal involvement altogether.

The Federal Government is only involved to the tune of 7 to 8 percent at this point. It is not injuring schools in any way. Let us keep the Federal Government involved by protecting the President's class size initiative in this bill.

Vote ''no'' on the rule. Vote ''no'' on the bill.

Ms. PRYCE of Ohio. Mr. Speaker, I am pleased to yield 4 minutes to the distinguished gentleman from Indiana (Mr. SOUDER), a member of the committee.

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

Mr. SOUDER. Mr. Speaker, first let me say to my friend from New York that this does not touch title I which is a massive program which I and many others favor, because many States did not in fact pay enough attention to the lower income areas of this country. Some States deliberately wiped out their property tax so that minorities would not have sufficient schools and went to private schools, and because of that the Federal Government stepped in and said those who are in low-income areas are going to need some help; just like as we had special-needs kids around this country that led to the development of IDEA. There is no question that there is a role, some role, for the Federal Government in education. The question is, is fundamentally who do we trust the most?

This rule gives us the flexibility to debate a number of the different options and to really highlight again today the differences as to how the bulk of education should be run in this country, not the exceptions. We are not abandoning what we are putting into low-income students or into IDEA. But what we are saying is that rather than say, we know best here on the floor of this House what the school districts in my district in northeast Indiana or anywhere in the country should do, some of them work to lower their class size and some of them rather than getting it down to 18 might want to have 19 in the class size and have better teachers for effectiveness. Others may want and need more teachers in IDEA which is the biggest financial drain in the local school districts because they cannot take care of many of these students that the courts have ordered them and Congress has ordered them to take care of.

Each school district has their own funding flexibilities, each State has their own funding flexibilities and priorities they have to work. Who are we to say that they have to go a certain direction?

Once again, let me repeat, this bill, while there are nuances in the additional spending proposed in the 100,000 new teachers and other programs, does not touch the basic funding mechanisms of which we have tried to put into low-income students.

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

Mr. SOUDER. I yield to the gentleman from New York.

Mr. OWENS. The gentleman said who are we to emphasize one thing over another? Most of the experts agree on few things in education, but they do agree that small class sizes in the early grades are essential to promoting reading and other subjects.

Mr. SOUDER. Reclaiming my time, all of these things are a balance; that in fact research shows that teacher quality. Now, if the class size is 30 versus 18, but the class size differential, 19 or 20 compared to the teacher quality; depending whether you have computer access in your schools, if the schools are falling down, if you have inadequate textbooks and the parents cannot afford the textbooks. Different schools have different problems. I agree that if there is a wide disparity, but at the margins, and what I have seen in my district, in foundations around our country and so on is that we have seen, compared to the past, an amazing advancement in the local school boards and in particular State education associations in trying to improve the quality of education. We need to give them more flexibility. And when they fail, we step in like we did with title I and IDEA.

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

Mr. SOUDER. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Speaker, I just want to make sure that the gentleman from New York did not give anybody the impression that somehow or other there is a magic pill out there that if you reduce class size, all of a sudden you are going to have better instruction and the child is going to do better. If I am a parent and I have a choice between 25 students in the classroom and a quality teacher or 17 students in the classroom and what they have done in California and have people who are not capable of teaching, I want 25 in the classroom and a quality teacher.

The most important thing that every researcher ever said is that next to the parent, the most important factor for learning is the quality of the teacher in the classroom. We do not want to ever lose sight of that.

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

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

Mr. MCKEON. The beauty of this bill is that we can have both, because we do the class size reduction, unless they do not have the adequate space or do not have the adequate teachers. Then we give them the ability to enhance the education of the teacher. This is the beauty of this bill, is we can have our cake and eat it, too. That is one of the great things about the thing we have put together in this bill.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. ROEMER).

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

Mr. ROEMER. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me the time here on this very important legislation today.

I rise, Mr. Speaker, and will support the Martinez amendment which will devote some more resources to education that we badly need. I also will support the underlying bipartisan bill that emphasizes a reduction in class size and an emphasis on the quality of the teacher standing in front of the classroom.

Now, I applaud some on the Republican side for this bipartisan bill because I know that 3 or 4 years ago, there were some on that side that advocated reducing the Department of Education to rubble and now we are emphasizing in a bipartisan way reducing the class sizes in America and putting emphasis on the quality of the teacher that stands in front of those students.

I think this is a bipartisan bill, a Democratic-Republican bill, for two reasons: It emphasizes the right goals that all American parents and teachers and students agree with, and, that is, generally, in the earliest grades, 1 through 3, that when we have smaller class sizes, 18 or 20, we are more effective in making sure those children get off to the right start and get up to speed in their reading skills. Secondly, the delivery mechanism is right in this bipartisan bill. It does not loosely structure a block grant that you can spend money on anything. It tightly targets the spending for the State and the local school to choose between two things, a reduction in class size or quality teachers. I think that those are

both equally important goals and I would encourage my colleagues to support Martinez and support the underlying bipartisan bill.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume to enter into a colloquy with the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the Committee on Education and the Workforce.

Mr. Speaker, I rise today in support of the Teacher Empowerment Act because it promotes teacher quality, reduces class size and sends dollars directly to the classroom. In light of the third annual math and science study scores, I am concerned that we are not focusing enough on math and science education. Therefore, I am especially pleased that this legislation promotes and strengthens math and science teacher training through the Eisenhower National Clearinghouse for Math and Science Education. Located at the Ohio State University, the Eisenhower National Clearinghouse collects, catalogs and disseminates K–12 curriculum materials and resources in mathematics and science and provides teachers with a variety of services, including a technical help desk and reference service, print publications, and 12 demonstration sites located throughout the Nation.

Mr. Speaker, as the gentleman from Pennsylvania knows, the Eisenhower Clearinghouse is not a one-size- fits-all program. This program is available to teachers all across the country 24 hours a day, 7 days a week. Furthermore, there are no forms to fill out, applications to file or enrollment fees to pay. Because of this flexibility, our Nation's math and science teachers made Eisenhower National Clearinghouse's website one of the most visited education sites, receiving over 14 million hits.

I yield to the gentleman from Pennsylvania whose work I very much admire for his response.

□ 1245

Mr. GOODLING. The gentlewoman is correct. The Eisenhower National Clearinghouse is a valuable resource to all teachers nationwide, has done a great service with respect to providing our Nation's teachers with quality math and science resources. In fact, the Committee on Education and the Workforce intends to further highlight the mission and positive results of the Eisenhower National Clearinghouse as it moves to reauthorize the Elementary and Secondary Education Act.

Ms. PRYCE of Ohio. Mr. Speaker, I strongly believe that this is a program that deserves our strong support, and I thank the chairman very much for his time.

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, I thank my friend for yielding this time to me, and I oppose this rule for the reasons outlined by my friend, the gentleman from New York (Mr. OWENS).

This debate today is going to revisit a fundamental debate about values that we have had frequently in the last 40 years in the history of American education. For nearly the first 200 years of our country's history, the role of the Federal Government in public education was passive, some would even say negligent, as we sat on the sidelines and watched the process go forward.

In the late 1950's, we had a choice between being passive in the face of racial segregation or being activist to try to end it, to create equality of educational opportunity. Slowly, painfully, grudgingly the courts, the Congress, the Executive Branch choose activist Federal involvement to end racial segregation.

In the 1960's we faced a choice between sitting on the sidelines as poor children systematically attended poorer schools, and we collectively made an activist choice to enact the Elementary and Secondary Education Act of 1965 to lend some assistance to lift those struggling schools up in whatever way we could.

Also in the 1960's we faced a choice between sitting and watching as children with a disability were frozen out of the mainstream education process, who found that their needs for speech therapists or special teachers often wound up at the bottom of the local school board's priority list, behind AstroTurf for the football field, behind trips to Disney World for the board of education, and we enacted the IDEA that created in Federal law a Federal right for every child to have the highest quality education in the least restrictive learning environment.

Today, I believe we are facing the same choice all over again with respect to the issue of quality of learning for every child in every setting in the primary grades. Last year a majority of us chose to take the activist position that we should encourage the reduction of class sizes by adding 100,000 teachers, qualified teachers, to this country's teaching corps.

I believe the choice before us today is whether we should simply be a Federal subsidy or a national priority. Make no mistake about it. The bill that will be before us today is well intentioned, but it repeals the national commitment to reduction in class sizes.

As the debate unfolds, we will be able to outline the reasons for that, but I would urge my colleagues to reject this rule on the grounds it is exclusive of good ideas and to ultimately reject the bill because I believe it steps away from that fundamental commitment to an activist Federal Government that is principled in its pursuits, but limited and carefully tailored in its means.

Please oppose the rule and oppose the underlying bill.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am sorry the gentleman for whom the Committee on Rules made two amendments in order now finds himself opposing this fair rule.

Ms. PRYCE of Ohio. Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 30 additional seconds to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, I very much appreciate the indulgence of the Committee on Rules in permitting two of my amendments. I would note for the Record it rejected a third that would have promoted the teaching of holocaust education. I regret that that was the fact.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. MICA).

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

Mr. MICA. Mr. Speaker, I heard recently one of my colleagues from the other side of the aisle say that the new majority tried to turn the Department of Education into a pile of rubble, and that brought me to the floor to respond.

We have before us today a very fair rule and a very powerful piece of education legislation which would return power to the teacher. Now let me tell my colleagues that the last thing for 40 years on the education feeding chain has been the teacher and the student. I chaired the Subcommittee on Civil Service. In the Department of Education there are 5,000 employees of which 3,000 are located in the City of Washington, and those employees in the Department of Education are earning between 50 and $110,000 on average. Show me a teacher in my district that has that money.

The balance of the 2,000 Department of Education employees are located in regional offices. We are saying, put the money, put the power, put the emphasis. We only spend 5 percent of Federal money; the total amount in education comes from the Federal level. We are saying, put that money in the classroom with the students, not in Washington, not with bureaucrats, and empower the teacher, empower the student, and empower the classroom.

That is why we are offering this legislation today. That is why I ask for support for this rule and for this particular piece of legislation.

Mr. MOAKLEY. Mr. Speaker, I yield 1 additional minute to the gentleman from New York (Mr. OWENS).

Mr. OWENS. Mr. Speaker, I think it has been clear that the intent of the Republican majority is to eliminate the Federal role in education. They do not question, however, the ability of the White House and the Office of Management and Budget to analyze the content of legislation. I want to read from the President's letter on this bill:

H.R. 1995 abolishes a dedicated funding stream for class size reduction and replaces it with a block grant that fails to guarantee that any funding will be used for hiring new teachers to reduce class size. Moreover, the block grant could be used simply to replace State or local funding instead of increasing overall investment in our public schools. If the Congress sends me H.R. 1995 in its current form, I will veto it in order to protect our Nation's commitment to smaller classes and better schools.

There are some speakers who keep insisting that there is nothing wrong with the bill in terms of protecting the reduction in the classroom size initially, but definitely this leaves it wide open. It pushes the Federal priority aside and leaves the decision open for local education officials.

As my colleagues know, most local education officials will seize the opportunity to spend the money as they want to spend it.

Ms. PRYCE of Ohio. Mr. Speaker, I have no further speakers.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. KIND).

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

Mr. KIND. Mr. Speaker, after this rule passes, we are going to have a very serious and important debate about improving the quality of teachers, administrators, and superintendents in our school system across the country. As a member of the Committee on Education and the Workforce, I rise in support of H.R. 1995, the Teacher Empowerment Act, as it will hopefully be amended by the chairman's amendment later today.

I also have to admit, however, that I have not been the most enthusiastic supporter on the committee to the piecemeal approach to breaking down the ESEA reauthorization this year into component parts. I feel that it was important to do the ESEA reauthorization all together in a comprehensive way recognizing the need of improving teacher, principal, and administrator quality in our schools, placing heavy emphasis on class size reduction, focusing emphasis on accountability and standards, but also recognizing the serious challenge we face in infrastructure needs that exist in our public schools across the country.

But if we are going to piecemeal this, I think this bill, the Teacher Empowerment Act, is a very good first start in the area of improving teachers', principals', and administrators' quality in our schools. Based on the hearings that we have had in the committee throughout the course of the year, Mr. Speaker, we face a serious challenge with the impending retirement of the baby boom generation and a roughly 2,000-teacher shortage over the next 10 years.

This bill concentrates on quality improvement. The amendment of the gentleman from Indiana (Mr. ROEMER) that is going to be offered later today to expand Troops to Teachers to other qualified individuals who are looking for a career change and who want to contribute their talents to teaching will hopefully help in the area of the shortage problem as well. I encourage my colleagues to support the Roemer amendment.

Now there is going to be some controversy in the course of the day in regards to the lack of a separate funding stream to support the President's initiative of hiring 100,000 additional teachers. I believe, given the language of the underlying bill, that that concern is misplaced.

The bill does require that class size reduction be given a top priority. This is entirely consistent with the Ed-flex legislation that was passed earlier in the year and that the President signed into law which allows local school districts to have the flexibility to apply for waivers and use the money for other priority needs that they have, such as professional development programs. We could go out and hire an additional 100,000 new teachers, but if they are unqualified, that could do more harm than good.

Mr. Speaker, do not get me wrong. I am a big proponent of class size reduction. My own State of Wisconsin has implemented the SAGE program back in 1993 for class size reduction in K through third grades. We have had a recent study coming out of the University of Wisconsin at Milwaukee showing the drastic improvement of student test scores in those classes that have had reduced class sizes in the State of Wisconsin under SAGE.

We had hearings on class reduction in the course of the Committee on Education and the Workforce, one in particular highlighting the successes of the STAR program that was implemented in Tennessee on class size reduction. There are other States across the country implementing class size reduction programs, and I would hope that it would be a collective goal for all school districts to work for class size reduction and a better teacher-pupil ratio.

As my colleagues know, this bill recognizes and balances the twin goals of class size reduction and the importance of getting qualified teachers into the classroom. That is why I want to commend the gentleman (Mr. MILLER) for his strong teacher quality language that is also contained in the chairman's amendment.

This is not a perfect bill, Mr. Speaker, but it is a very good bill. It is a bill that both Democrats and Republicans can stand up and take credit for and feel good about, including the President of the United States. So I would encourage my colleagues to support the chairman's amendment and also at the end of the day to support the underlying bill.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. MARTINEZ).

Mr. MARTINEZ. Mr. Speaker, I am simply in awe of the collective wisdom that exists in Washington, D.C., especially in Congress, and I look at these things from a very maybe simple perspective of having, one, been one that was raised in an impoverished neighborhood and went to schools that were not quite as excellent or elegant as the schools on the other side of town. But the situation still remains today the same as it did then.

The question is, and we get into this debate, and we get so focused that we sometimes cannot see the trees for the forest. We say class size reduction as if class size reduction is the most important part, or we say teacher quality as if teacher quality was the most important part. I come from a different perspective, that I believe that both are.

I guess we do not all keep up with the studies, and I am not too sure that I rely on studies all the time, but more recently, in just the last couple of weeks, there was a study that came out that showed that class size reduction in and of itself does a great deal of good for students because there is that one-on-one ability.

And remember this, that the target area is that K through 6 to begin with, and we would like to expand it beyond that, but K through 6.

And as I remember when I went to school, the teachers that were certified to teach K through 6 were generally certified teachers that have been through the training that was necessary to become qualified teachers, and they taught all subjects.

□ 1300

We did not have, and we still do not have, by and large, in most places in the country in K through 6 a segregated class for math and a segregated class for science and a segregated class for this and that and the other.

These teachers are teaching all subjects to the classes. But more importantly, they are developing cognitive ability for those students so that when they get into the grades when those classes are separated, and I think we ought to remember that when those instructional classes, math, science, and the rest are in individual classes, they are in the upper grades. We are not talking about that here. We are talking about those earlier grades with the certified teachers.

More recently, a study showed that class size reduction and where those students were in that smaller class size, whether or not that teacher was qualified in any particular subject, that those students benefited as much as did the kids that were in small class sizes with teachers that were certified in specific subject matter.

So really, it only amounts to the fact of who do we target in this bill? We target the more needy. In their bill, the way the funding formula would begin, before we were able to get concession from them for hold harmless, and then beyond the hold harmless, it still has the faulty funding formula that draws money away from those areas where the children really need it.

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

Mr. MARTINEZ. I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Speaker, my question is, there is nothing in this bill that says that class size reduction cannot be a part for the schools that the gentleman is mentioning. My understanding is that a school district can decide that class size reduction is absolutely the most important.

Mr. MARTINEZ. Mr. Speaker, reclaiming my time, I would respond by saying that the bill is not a bad bill, but it is just a little bit lacking, and that is where we would like to improve the bill to the point that it really targets the most needy.

Let me say, when they say in the bill that the highest priority is class size reduction and there is no separate funding for it, they really do not give it a priority. So it leaves it up to the locals to decide where they are going to spend the money, whether they determine that they need it for class size reduction or they need it for teacher training. And I have nothing against either, because I believe that both go hand in hand, one with the other. But we ought to at least do it in a way that says to them, do the class size reduction, get the qualified teachers, show us which way we really need to spend the money before we authorize it being spent, rather than leaving it.

Now, I know we always say that locals know best. Well, I wonder, if the locals know best, then why did the Federal Government get involved in this at all? The Federal Government got involved in these programs because locals did not make the decisions that were necessary to take care of the children with disabilities, to take care of bilingual problems, to take care of disadvantaged students, and that is where the Federal programs came up with Title I and other programs.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCKEON).

Mr. MCKEON. Mr. Speaker, I just wanted to respond to the distinguished ranking member to a couple of things he said. I appreciate, and I would like to say that before the world, the fact that we did work together on a bipartisan bill. We ran into a glitch along the road, but this was a bipartisan bill, and my hope is that with final passage today, the world will know it is a bipartisan bill.

A couple of things the gentleman talked about. The gentleman mentioned reducing the class size K through 3, but then he used K through 6 several times.

In the bill that we have, it says reduce class sizes nationally in grades 1 to 3 to an average of 18 students.

So the difference is the substitute is a Federal mandate that says nationally reduce class size 1 to 3 to an average of 18 students.

And then as to the gentleman's question about who do we trust more, local or Federal Government, well, I spent 9 years on a school board. I do have great confidence in local control.

Mr. MOAKLEY. Mr. Speaker, I yield 30 seconds to the gentleman from California (Mr. MARTINEZ).

Mr. MARTINEZ. Mr. Speaker, when I referred to K through 6, I was referring to the fact of my own experience in grammar school that we had teachers that were qualified in all subjects and they taught all subjects, and K through 6 in most parts of the country today, not that our bill was inclusive of K through 6, but that is the situation that actually exists, and I think we ought to deal with the realities that are actually out there.

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

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself the balance of my time.

In closing, I will remind my colleagues that this rule is fair and balanced. Of the 12 amendments made in order by the Committee on Rules, 6 are offered by Democrats and 6 by Republicans. This equal treatment is appropriate for consideration of a bill that has bipartisan support. I hope my colleagues will join me in supporting both the rule and the underlying Teacher Empowerment Act which relies on the principles of teacher quality, smaller class size, accountability, and local control to improve our children's education.

But, teachers are central to today's debate, which is appropriate. Perhaps more than any other factor in education, teachers are key to academic achievement. By investing in our teachers through this legislation, we are strengthening our most valuable education resource. I urge my colleagues to support both the rule and the Teacher Empowerment Act.

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 SPEAKER pro tempore. The question is on the resolution.

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

Mr. MOAKLEY. 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 227, nays 187, not voting 19, as follows:

[Roll No. 315]

YEAS—227

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coburn
Collins
Combest
Cook
Cox
Crane
Crowley
Cubin
Cunningham
Davis (FL)
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Eshoo
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kind (WI)
King (NY)
Kingston
Knollenberg
Kolbe
Kucinich
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Moran (VA)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—187

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinojosa
Hoeffel
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kleczka
Klink
LaFalce

Lampson	Nadler	Sherman
Larson	Napolitano	Shows
Lee	Neal	Sisisky
Lipinski	Oberstar	Skelton
Lofgren	Obey	Slaughter
Lowey	Olver	Snyder
Lucas (KY)	Owens	Spratt
Luther	Pallone	Stabenow
Maloney (CT)	Pascrell	Stenholm
Maloney (NY)	Pastor	Strickland
Markey	Payne	Stupak
Martinez	Pelosi	Tanner
Mascara	Peterson (MN)	Tauscher
Matsui	Phelps	Taylor (MS)
McCarthy (MO)	Pickett	Thompson (CA)
McCarthy (NY)	Pomeroy	Thompson (MS)
McGovern	Price (NC)	Thurman
McIntyre	Rahall	Tierney
McKinney	Rangel	Turner
McNulty	Reyes	Udall (CO)
Meehan	Rivers	Udall (NM)
Meek (FL)	Rodriguez	Velazquez
Meeks (NY)	Rothman	Vento
Menendez	Roybal-Allard	Visclosky
Millender-McDonald	Rush	Waters
	Sabo	Waxman
Miller, George	Sanchez	Weiner
Minge	Sanders	Wexler
Mink	Sandlin	Weygand
Moakley	Sawyer	Wise
Mollohan	Schakowsky	Woolsey
Moore	Scott	Wu
Murtha	Serrano	Wynn

NOT VOTING—19

Berman	Hinchey	Ortiz
Calvert	Holden	Peterson (PA)
Cardin	Kennedy	Stark
Coble	Lantos	Towns
Cooksey	Levin	Watt (NC)
Engel	Lewis (GA)	
English	McDermott	

□ 1334

Mr. SHERMAN and Mrs. CLAYTON changed their vote from ''yea'' to ''nay.''

Mr. HALL of Texas changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. STEARNS). Pursuant to House Resolution 253 and rule XVIII, 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. 1995.

□ 1334

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. 1995) to amend the Elementary and Secondary Education Act of 1965 to empower teachers, improve student achievement through high-quality professional development for teachers, reauthorize the Reading Excellence Act, and for other purposes, with Mr. SHIMKUS 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, if someone is a parent and someone has an opportunity to have their child in a classroom with 25 other students with a quality teacher, or if someone is a parent and they have the opportunity to have their child in a classroom of 18 children with someone who is not qualified to teach, who would they choose?

Well, it is very obvious. They would choose the quality teacher. All of the studies would indicate that next to the parent, and I repeat next to the parent, the determining factor as to whether a child does well or poorly in school has a great deal to do, more than anything else, with the quality of that classroom teacher.

In California, and we are going to hear that well they moved too quickly. They went on a crusade to reduce class size, spent $3 billion to do it. What did they end up getting in return? Mediocrity in the classroom, where they needed the most in places like Los Angeles. Why? Because they did not have quality teachers to put there.

Now we are going to hear, as I said, well, they moved too quickly. Let me say about moving too quickly. Just in the last 2 weeks, the President sent out the first grants on reducing class size. And guess what? No quality control whatsoever. I do not even know if they have to be able to add and subtract. He does not say they have to. There is no quality control whatsoever. So talk about moving too quickly, I will guarantee that is exactly what has happened.

Quality teachers have to prepare if they are going to make a difference. Reducing the class size will not make one bit of difference if we cannot put a quality teacher there, and it will not make one bit of difference if we do not have anyplace to put the teacher.

So what we are saying here is, we understand that. We understand that there has to be a quality teacher. We understand there has to be a place to put that quality teacher to teach those children. So we say, promote teacher quality. That should be the first and foremost thing as a Congress we should try to encourage.

Secondly, we say, reduce class size. We do not say, reduce class size no matter who is stuck in that classroom. We say, maybe they are going to have to better prepare some that are in their own school at the present time rather than stick someone who is not qualified into that classroom.

We say, get the money down to that classroom. We say, promote innovative teacher reforms; promote teacher tenure reform; teacher testing; merit-based teacher performance systems; alternative routes to teacher certification; differential and bonus pay for teachers in high-need subject areas and areas where they are needed the most; provide teacher choice.

If the local school district cannot provide decent retraining, with decent in-service programs, we say that the teacher can go and get it and we will make sure that it is covered. It ensures high-quality professional development and provides accountability to parents and taxpayers, and it promotes math and science.

We are talking about quality, and for all of these years we should have been talking about quality rather than quantity. So let us get along with it and provide the local school district the opportunity to put quality people in every classroom so every child has an equal opportunity for a good education.

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

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

Mr. Chairman, last year, Congress passed the omnibus appropriations bill, making a $1.2 billion down payment on President Clinton's plan to hire 100,000 new classroom teachers. It was supported by Democrats and Republicans because overwhelming evidence demonstrates that students in smaller classes with qualified teachers have greater academic success, especially in the early grades.

H.R. 1995, the Teacher Empowerment Act, threatens the future of this class size reduction program by allowing funds to be diverted to other uses without having to address the shame of overcrowded classrooms.

Only on rare occasions have there been such unanimous opposition in the education community to a proposal such as this one. Every major education group has expressed strong opposition to abolishing the requirement to target funding for class size reduction.

Now, Mr. Chairman, the people who drafted this bill are all isolated here in Washington, D.C. and want everybody to think that they have the answers to the problems in public education, but a sampling of such comments from people who are out there in the trenches, who are out there every day dealing with the problems of education, is something that we ought to pay attention to.

The Council of Chief State School Officers say that they support the Martinez Democratic substitute because, and I quote, ''H.R. 1995 fails to ensure a stable and growing funding stream of resources for both professional development and class size reduction. The Martinez substitute would target Federal resources to two distinct but companion Federal priorities without making them compete against each other for a fixed pot of funds,'' end of quote.

The National Education Association writes, and I quote, ''NEA strongly opposes provisions of H.R. 1995 to combine the class size reduction program with Goals 2000 and professional development programs. Combining class size reduction with other programs will serve merely to undermine its effectiveness by failing to achieve the goal of hiring 100,000 qualified teachers,'' end of quote.

The National School Boards Association, representing thousands of school

districts across the country, opposes the approach taken in this bill. They write, and I quote, Mr. Chairman, ''Much stronger legislation and far more targeted Federal dollars are needed if the Nation's public schools are to ensure that students, particularly those in poverty, have a real opportunity to improve student achievement. H.R. 1995 implies that America's school board members must make the unfortunate choice between access to high-quality teachers and access to an effective learning environment with a teacher ratio that research has proven is effective,'' end of quote.

Other groups, Mr. Chairman, including the American Federation of Teachers, the Council of Great City Schools, the National Parent and Teachers Association, and the Leadership Conference on Civil Rights all strongly support a separate stream of funding for class size reduction.

Finally, Mr. Chairman, President Clinton on the recommendation of Secretary Riley has issued a veto threat on this bill. All across the country children, parents, and teachers are counting on us to finish the job of reducing class sizes. The Martinez substitute that will be offered later today makes good on this commitment by continuing a separate stream of support for the Clay-Clinton Class Size Reduction Act.

Mr. Chairman, too many of our students and teachers are now struggling in classrooms with as many as 35 children. We should not let them down. I urge support of the Martinez substitute and, if it fails, I urge rejection of H.R. 1995.

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

□ 1345

Mr. GOODLING. Mr. Chairman, I should have told the ranking member we were going to name the bill after him when it passes.

Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. MCKEON), the subcommittee chair who was the chief honcho, making sure that the staff did a good job, which they certainly did.

Mr. MCKEON. Mr. Chairman, I rise in strong support of H.R. 1995, the Teacher Empowerment Act.

I would like to open my remarks by thanking the gentleman from Pennsylvania (Mr. GOODLING), chairman of the Committee on Education and the Workforce for his leadership in bringing this important legislation to the House floor.

I would also like to thank the gentleman from Delaware (Mr. CASTLE), chairman of the Subcommittee on Early Childhood, Youth and Families, other members of our committee, and certainly the Speaker of the House, the majority leader, and other Members of the House leadership for their hard work on this issue.

This legislation will make a significant and positive impact on how we prepare our Nation's teaching force by providing States and local school districts with needed funding to train high quality teachers and to hire new teachers where necessary.

In the development of the Teacher Empowerment Act, we have made every effort to put together a bill that is in the best interest of children, parents, and teachers. We have also tried to include the best elements of teacher training proposals from the governors, the administration, and different Members of Congress on a bipartisan basis.

The Teacher Empowerment Act was developed with three key principles in mind: teacher excellence, smaller classes, and local choices.

The bill gives States and particularly local school districts the flexibility to focus on initiatives they believe will improve both teacher quality and student performance. In exchange for this flexibility, the bill holds local school districts accountable to parents and taxpayers for demonstrating results measured in improved student performance and higher quality teachers.

This legislation encourages intensive long-term teacher training programs that are directly related to the subject matter taught by the teacher. We know that this works.

If localities are unable to provide such professional development, teachers will be given the choice to select their own high quality teacher training programs through teacher opportunity payments. For the first time, we are giving teachers a choice in how they upgrade their skills. Our teacher opportunity payments will empower individual teachers or groups of teachers to choose the training methods that best meet their classroom needs.

The Teacher Empowerment Act maintains an important focus on math and science, as under current law, but the legislation expands teacher training beyond just the subjects of math and science.

The legislation ensures that teachers will be provided training of the highest quality in all of the core academic subjects.

By combining the funding of several current Federal education programs, the Teacher Empowerment Act provides over $2 billion annually over the next 5 years to give States and, more importantly, local school districts the flexibility they need to improve both teacher quality and student performance.

The bill also encourages innovation on how schools improve the quality of their teachers. Some localities may choose to pursue tenure reform or merit-based performance plans. Others may want to try differential and bonus pay for teachers qualified to teach subjects in high demand. Still, others may want to explore alternative routes to certification.

Further, the Teacher Empowerment Act continues to support local initiatives to reduce class size. In fact, schools would be required to use a portion of their funds for hiring teachers. However, unlike the President's program, we do not dictate to the schools how much they spend on new teachers. Instead, schools will be allowed to determine the right balance between quality teachers and class size reduction.

Instead of paying for 100,000 new teachers 1 year at a time, we are providing local school districts with the resources to train over 500,000 qualified teachers each year over a 5-year period.

Finally, schools will also be allowed to hire special education teachers with these funds. All of these options are feasible in our legislation because we do not try to tell schools what their approach should be. We do not want to impose any one system that every school must follow in order to upgrade the quality of its teachers. That will not work, because one size does not fit all.

The Teacher Empowerment Act is good, balanced legislation. It provides the flexibility that States and local school districts need to improve the quality of their teaching force with two goals in mind: increases in student achievement and increases in the knowledge of teachers in the subjects they teach.

I encourage all of my colleagues in the House to support this important legislation as we work to improve our Nation's schools.

Mr. CLAY. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. MARTINEZ).

Mr. MARTINEZ. Mr. Chairman, I rise in opposition to the bill before us today. There is nothing that I would have liked more than to come to the House floor with real meaningful, bipartisan teacher quality legislation.

When the gentleman from California (Mr. MCKEON) and I first began the process of reauthorizing title II of the Elementary and Secondary Education Act, I had high hopes of doing just that.

The chairman and I held several of the most informative hearings I have attended since coming to Congress many years ago. We heard from witness after witness that teacher quality is one of the most important factors in student achievement.

However, we were alarmed to learn that 10 percent of our Nation's public school teachers are currently uncertified and another 28 percent are teaching out-of-field or in subject areas in which they hold no degree.

To address this serious problem, our members wanted legislation that would ensure that every child receives instruction from a highly qualified individual and an environment conducive to learning. As a result, we wrote in the Miller amendment to our bill, one that the other side did not have in their bill when they first introduced it in committee.

I am pleased that several Democratic proposals, regarding recruitment, retention, and high quality professional

development for all school personnel are included in their bill.

I am also pleased to see that the provisions of the gentleman from California (Mr. GEORGE MILLER) on accountability, which require that all teachers be qualified in areas in which they provide instructions by 2003, are included in the chairman's mark.

However, what started out to be a bipartisan process turned into political posturing when the chairman was instructed by his leadership, as he just explained in his opening statement, to eliminate the Clinton class size reduction initiative as we know it by rolling it into a block grant to the States and, as a result, putting quality teacher and small class size against one another.

Last year, this Congress promised teachers, students, and parents across the Nation that we would help them reduce class size with qualified teachers over the next 6 years. The first down payment on that promise was made to the States just a few weeks ago.

Because H.R. 1995 reneges on that promise, it has elicited a veto threat from the President and letters of opposition from all the major education groups, including the National Education Association, the American Federation of Teachers, the National Parent-Teachers Association, the Council of Great City Schools, the Leadership Conference on Civil Rights, the Council of Chief States School Officers, the National School Board Association, and the National Governors Association.

There is no reason that school districts should be forced to choose between quality and smaller classes, both of which are equally important to student achievement.

We cannot accept less than our children deserve, which is quality teachers and smaller classes. If that means increasing the Federal investment in education, so be it. Is $3 billion out of a trillion-dollar tax bill too much to ask for our Nation's children? I do not think so.

In fact, shortly, I will be offering an amendment in the nature of a substitute that encourages the States and districts to both improve teacher quality and reduce class size, and it provides them with adequate funding to accomplish both.

If my colleagues are serious about improving public education, they should put their money where their mouths are and support the Martinez substitute and oppose H.R. 1995 in its current form, which is the status quo.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. BALLENGER), one of the important veterans of the committee.

Mr. BALLENGER. Mr. Chairman, I thank the gentleman from Pennsylvania for yielding me this time.

Mr. Chairman, I rise in favor of H.R. 1995. The Federal Government only supplies about 5 or 6 percent of the money to run our local schools but supplies most of the controls on how it is used. As such, much of the funding is lost in the State and Federal bureaucracies. If local officials want to use Federal dollars to train teachers, reduce class size, or retain good teachers, they must do it the Federal way, or they do not get the money.

The Teacher Empowerment Act mandates that 92 percent of the funds must go to the local level, not to the bureaucracy, and may be spent at local discretion if positive results can be demonstrated. This proposal sounds almost too practical to be a Federal program.

As we debate the Teacher Empowerment Act, much will probably be said by the other side in opposition to the bill which consolidates the President's ''100,000 New Teachers'' programs and other programs into a single funding source. I would like to address this issue briefly.

The bill requires that funds be used to hire new teachers and reduce class size. However, unlike the President's program, this bill allows localities to determine the correct balance between teacher quality and class size.

The President's proposal actually limits the funds available to teacher quality initiatives to 15 percent of total funds. With various studies showing that teacher quality has a far greater impact on student achievement than does class size, I find the President's cap on funds available for improving teacher quality shortsighted and detrimental to improving student performance.

As the gentleman from Pennsylvania (Mr. GOODLING) said, a student can learn more in a class of 25 taught by a highly qualified teacher than in a class of 17 with a teacher who has few qualifications.

Our children deserve to be taught by teachers who are qualified and prepared to offer their very best. By using Federal education dollars effectively as outlined in the Teacher Empowerment Act, we will move closer to that important goal. A school's strength comes, in part, from the quality of its teachers. Let us help our teachers be the best that they can be by passing this bill.

Mr. CLAY. Mr. Chairman, I yield 4 minutes to the gentlewoman from Hawaii (Mrs. MINK).

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Chairman, I thank the gentleman from Missouri, the ranking member, for yielding me this time.

Mr. Chairman, this is a very important moment in the development of education policy by the Congress of the United States. If we enact H.R. 1995 as it is presently presented to this body, we will be departing from one of the essential ingredients in the enactment of the first elementary and secondary education bill in 1965.

That took 25 years to develop because of basic disagreements in how to structure Federal aid to education. It was finally enacted because there was a consensus agreement among all the elements that competed for attention with the understanding that it was the neediest in our society that was most deserving of the attention and targeting of the limited Federal funds.

I think that is the issue today. Everyone recognizes the fact that we are only talking about 6, 7, perhaps 8 percent at the most of the total cost of public education coming from the Federal government.

This is a minuscule amount of funding that the school systems can depend upon from the Congress. Because the amount is so limited, it is extremely important that we target it to the areas of the greatest need.

In looking over this legislation, H.R. 1995, the National School Board Association, the Council of Chief State School Officers, the National PTA, the Leadership Conference on Civil Rights, and the American Federation of Teachers all make the same observation, that it sacrifices the essential element of comprehensive Federal approach to support of public education by its failure to continue to limit the targeting to the most needy elements of our society.

When we broke this teacher education portion away from the ESEA, we sacrificed that essential ingredient. So I think, for all the reasons that I have stated, notwithstanding many compromises have been made in the teacher development sections, that the important departure that we must vote against is the failure of the targeting.

The second is, in all these years that we have been giving their districts ESEA money and other kinds of money in which the local school district creates the plan, creates the funding, one of the great deficits is that, notwithstanding the fact that the local school agencies could determine how to spend the monies, not enough emphasis has been given to the reduction of class size.

So, therefore, the second element that is missing is the President's initiative that says, of the small amount of money that we are dedicating to the improvement of the neediest in our society, and that is to have smaller classrooms, we cannot sacrifice that initiative.

The bill, H.R. 1995, removes all separate funding for this initiative. So for those two major reasons, notwithstanding all the wonderful rhetoric and so forth about teacher development and the importance of the teacher in our society, without those two elements, we sacrifice the greatest impetus of moving forward and making sure that the least in our society has a greater opportunity to learn, to become a part, a contributing part of this society, and move towards their human and individual potential.

So for those reasons, I urge that the Martinez substitute which contains all of these things that I have described be

adopted. If that fails, I urge a ''no'' vote on H.R. 1995.

□ 1400

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Delaware (Mr. CASTLE), another subcommittee chair from our committee.

Mr. CASTLE. Mr. Chairman, let me thank the chairman and the gentleman from California (Mr. MCKEON) for their extraordinary work on this particular piece of legislation which I have looked at.

I have been in every public school in my State. By the way, I would not advise Members try that unless their State is the size of Delaware. I can tell my colleagues that I have spoken to many, many teachers there, and I have heard them worry about the Federal role as far as education is concerned, which is, as somebody said here, about 7 percent of all of the funding.

In Delaware we are already down to 17 pupils per teacher in our classes. We do not need help with the extra teachers. Why we are fighting so hard or why some people on this floor are fighting so hard to make sure we have this exclusive provision in the Martinez substitute for just 100,000 teachers, I do not know. I believe that the best way to do this is what this bill does. It allows the school districts to determine the correct balance between teacher, quality, and class size.

This bill allows States like Delaware, school districts all over the United States of America which are in compliance with what has to be done with respect to class size, to improve the quality of the teachers which they have. It combines the best element of Goals 2000 and the Eisenhower program. These are extraordinary programs. This really gives us an opportunity to uplift the quality of teachers across the United States. But if a school district wants to reduce its class size, it can do it. If a State wants to reduce its class size, it can do it.

So the legislation, in my judgment, does all that it should do to help with teacher quality, which is of overwhelming importance. It sends the dollars back to the classroom, back to the States, back to the local school districts. It actually promotes innovative teacher reforms, and we have needed this for years, which I think is exceptional.

The bill also ensures high quality professional development. I think professional development has been left behind as far as teachers are concerned. It also promotes math and science in the Eisenhower program, which is of overwhelming importance in this country. And of course it consolidates our Federal programs.

So this legislation has much to offer, and I would encourage everybody to support it. Hopefully, we will have a signing ceremony in the Rose Garden helping the teachers and the students of America someday.

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I rise in opposition to H.R. 1995. It is an okay bill, but it is not okay enough; and our children, their parents and our teachers deserve something better than okay.

H.R. 1995 walks away from last year's bipartisan commitment to reduce class size in the early grades. H.R. 1995 combines the funds that would reduce class size with other funds, leaving school districts without the guaranties that they need to hire new teachers.

H.R. 1995 creates a block grant for teacher training and includes class size reduction into that very same block grant. Yes, they permit reducing class size, but they do not guaranty smaller classes.

Anyone who knows the history of Federal funding knows that once programs become part of a block grant, they lose their funding. It just happens that way, and it happens that way every time, particularly programs for the most needy.

Our students and their parents are counting on us to reduce class size, and they are counting on us to bring qualified teachers to their schools. They need and they deserve no less. They need and they deserve both smaller classrooms and qualified teachers, not either/or.

Mr. Chairman, I urge my colleagues to vote for the Martinez substitute and against H.R. 1995.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. SOUDER), another outstanding member of our committee.

Mr. SOUDER. Mr. Chairman, there has been a little bit of confusion that I wanted to try to clear up. The Chairman's bill, and I congratulate him for his initiative, has a first-year authorization of a little bit over $2 billion. The substitute of the gentleman from California (Mr. MARTINEZ) has $3 billion.

But we should not be confused here. We are not the Committee on Appropriations. These questions will be resolved in the appropriations debate later. For those who are concerned about the particular dollar amount, they ought to join the Committee on Appropriations. This is the policy committee. The authorizing committee sets the thrust of the policy of how we are going to approach.

We had to come up with an initial number in order to have it be scored so we could go into the budget process without it distorting and becoming, in fact, a money debate. Right now the Republican dollar amount there is far greater than the Committee on Appropriations appropriates anyway. And, quite frankly, if at the end of the year, as we have many other years, a final number is determined, the Committee on Rules puts a waiver in to adjust the dollars.

This is not a money debate, and efforts to confuse outside groups by getting endorsements and saying this is a money debate, and by coming to the floor and trying to make this a money debate distorts the issue at hand.

The question is not whether we favor class size reduction, because in fact this bill allows all the dollars to be used in class size reduction. The question is do we trust our local school districts, our local teachers, our local principals to make decisions as to whether they need to improve the quality of the teacher or whether they have special-needs kids or whether they need to make other decisions similar to that within a very narrowly defined context in order to have some flexibility.

Some Members have spoken almost with disdain about their local teachers and schools as far as their ability to make these decisions, whereas I have great confidence in my local schools and local school boards that, in fact, they know whether they need better teachers rather than reducing from 19 to 18 their class size, or whether they need a better qualified teacher, or maybe they have special-needs kids who are not being covered and that is where their money is and they decide that rather than diverting other funds rather than use these funds. I trust them to make that decision.

This is not about money; this is about policy.

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Chairman, I thank my good friend from Missouri for allowing me this time to speak on this legislation and talk about the need for the Martinez substitute.

First of all, Mr. Speaker, one of the concerns I have is the reauthorization of the Elementary Secondary Education Act. The majority side has split it up into a number of pieces of legislation, and my concern is one of those pieces may fall out. We have to educate and think about the whole child and the whole system and not just one part of it. I am concerned that by having different parts, we will not be able to see the whole picture at one time. This decision may sound good, but we need to make sure that the Elementary Secondary Education Act is whole and not just parts.

I heard my colleague from Hawaii talk about Federal education funding is only 6 or 7 percent of some school budgets, and that is true. But in urban districts, poor districts, with at-risk children, sometimes the Federal money is as much as 10 to 12 percent. So 6 to 7 percent is a dramatic part, and I have some districts that need the Federal education money just to provide the education they need for those children.

H.R. 1995 needs to be amended by the Martinez substitute to continue our Nation's commitment to our at-risk children. We need to provide the assistance to the States and the local communities and local school districts

where most of our education dollars originate. They do not originate here in Washington or even in Austin, Texas. They originate in the local districts.

My wife is a public high school teacher in the Aldine district in Houston, and our two children went to public schools. In my experience both as a spouse and as a member of Congress, I hear it every weekend when I go home that class size is important. Whether it is kindergarten through 4th grade, like in Texas where we have 22-to-1, or through the 12th grade, we need to have smaller class sizes.

Teachers cannot teach if they are simply managing that classroom. They may be able to manage 35 children, but they cannot teach. Teachers have to impart knowledge, and that is what the Martinez amendment would do, and continue our efforts on that.

So I encourage people to support the Martinez complete substitute.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. ISAKSON), a new Member and a breath of fresh air on the committee.

Mr. ISAKSON. Mr. Chairman, I commend the gentleman from Pennsylvania (Mr. GOODLING) on this piece of legislation, as well as the subcommittee chairman, the gentleman from California (Mr. MCKEON). I commend as well the work of the committee.

Mr. Chairman, I would like to address my remarks specifically to the difference between this bill and the substitute that will soon be before us, and I want to use the context of the remarks of the gentleman from California when he introduced his substitute, or explained it.

He accused this bill, the Teacher Empowerment Act, of choosing quality over quantity of teachers. And he is right. But we must understand if we reject this bill on that basis, we must accept his substitute in accepting quantity over quality.

I want to submit some facts which every Member of this Congress must understand. First of all, there are not 100,000 certified teachers in the United States of America available to be hired. If there were, the State of Massachusetts would not be offering $20,000 bonuses to get teachers already employed in other States to come to theirs.

If there were, the State of California would not have had the unfortunate circumstance it had when it reduced classroom size, but it did unfortunately with teachers teaching out of field and out of certification. And in my own State of Georgia there are public school systems where as much as 40 percent of content is taught by teachers out of field. Not because that is our desire, but, Mr. Chairman, because the fact is the talent is not there.

Teacher empowerment means staff development. It means flexibility in funding to see to it that those who have already committed their life to teaching can be trained in field and in service to become better teachers.

Those who want to fool us with the ruse of one number is better than the other, are putting their facts and their future in numbers, not in the quality of our teachers or, more importantly, the education of our children.

When we choose to vote today, we should reject the substitute, because all it offers is quantity, with no quality. Instead, adopt the bill, which gives our local systems the flexibility to find the best teachers they can, improve the good teachers they have, and make the best decision for their children at the local level, not in Washington.

Mr. CLAY. Mr. Chairman, may we have a time check?

The CHAIRMAN. The gentleman from Missouri (Mr. CLAY) has 14½ minutes, and the gentleman from Pennsylvania (Mr. GOODLING) has 13 minutes remaining.

Mr. CLAY. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. OWENS).

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

Mr. OWENS. Mr. Chairman, all of the other authorizing committees come to the floor with comprehensive bills dealing with the total problem. The reason we are victimized here by gross oversimplification and extreme claims for what one particular action is going to accomplish in the education area is that we do not have a comprehensive bill.

The Elementary and Secondary Education Assistance Act has been balkanized, and for a reason. This is part of a guerrilla attack, strategically. When the Republicans took control of the Congress in 1995, they wanted to abolish the Federal role in education, and they did a head-on invasion, a direct attack; and it failed miserably and the American people rejected it. Now we have a guerrilla operation. One beachhead was established with the Ed-Flex Act. Now this is a second beachhead whereby we are challenging the President's priorities; we are challenging the role of the Federal Government.

They want to talk about flexibility, but flexibility means no accountability. As we reduce the size and the role of the Department of Education, there is nobody to monitor anything. We have a window of opportunity, a great door of opportunity open right now for some serious education reform and we have some funds to back it up. We do not have to keep robbing from the poor. This bill is designed to pilfer from the program's funds that have been targeted for the poor and spread the same resources thinner.

We should stand up like the other committees, get in line and ask for more money. There is a surplus. Why do we not ask for part of that surplus to be devoted to investment in education? Not expenditures on tax cuts but investment in education.

The best way to help Social Security is to invest in education. Instead of continuing to scramble money and rob from one part of the sector for another, let us move forward with a comprehensive bill. Bring the Elementary and Secondary Education Assistance Act to the floor and let us discuss it as a comprehensive bill.

Now is the time to let the common sense of the American voters come into this House and guide the confused leaders here. Their straightforward and hard-headed point of view has said that education is our number one priority. The voters want to see some action. Why can they not see some action in terms of us asking for more resources? Do not just keep playing around with issues.

We should abandon this perverted Robin Hood mentality where we are robbing the poor in order to take care of the rest of the sectors. The wealth of today and the future will be measured in brainpower. We should make education a priority the way the American people have made it and have a brainpower production machine which is thoroughly funded. And this committee should lead that and not follow. This committee should take the initiative in demanding more resources for education and not in balkanizing and trimming what we have already.

We need a streamlined structure, a streamlined approach to education reform, and we cannot get that without bringing the Elementary and Secondary Education Assistance Act to the floor and discussing it wholly. As members of the Committee on Education and the Workforce we are denied an opportunity to fully debate every part and see how each part melds with the other because we do not have a comprehensive bill before us. We have only this guerrilla attack, this perverted Robin Hood approach which is designed to rob the poor in favor of the rich.]

□ 1415

Mr. GOODLING. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Chairman, I rise in support of this bill, the Teacher Empowerment Act, because in order for education to succeed, our teachers must first succeed.

In spite of what some people want us to believe, there is no one student-to-teacher ratio and no magic number that guarantees academic success in our classrooms. As long as some teachers are hampered by red tape, ill-trained and ill-equipped, they will not be able to accomplish their objective, which is to educate.

This bill backs local initiatives to meet class size reduction plans and give teachers more flexibility to choose their professional development programs. This bill shifts 95 percent of funds directly to the local level, sending the money to the people who need it most, the students. And this bill

maintains the focus on math and science without sacrificing accountability.

I urge my colleagues to give students the resources they need to succeed. We owe it to them to support this important legislation.

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Chairman, I thank the gentleman from Missouri (Mr. CLAY) for his leadership on this issue. I stand today, Mr. Chairman, as the only Member who serves in this House on the National Commission on Teaching and America's Future. I thought surely we were going to have a comprehensive bill that talks about teacher empowerment. Yet we have a bill that to some degree eliminates the funding that will provide the type of education that is needed for those students who are in inner cities, like my district of Watts.

We are talking about taking Goals 2000 funding that speaks to standards that should be given to students who are in these inner cities, yet it is transferred to a new formula of 50–50. That is not what the National Commission on Teaching and America's Future wanted. We want preinduction, postinduction types of service. We want ongoing professional development. These are the things that teachers need if you are going to empower teachers. This is not an empowerment teachers act. This is just really a renegade of persons who want to take money where we will not have reduction in class sizes, we will not get the 100,000 qualified teachers and therefore look at credentialing to ensure that we do empower teachers.

I am really appalled at my colleagues on the other side who speak to empowerment of teachers, as I was a former teacher, that do not teach, that do not speak to the actual provisions that will help teachers, to empower teachers to teach to those students who will be coming to them from a myriad of backgrounds.

I say to you, those who are listening to us, this is not the type of empowerment program that we must have if we are to empower teachers. As a former teacher, I want to see the 80–20 ratio that speaks to those kids that are in inner cities that really need the funding and the teachers that will empower them to reach the goals that they need.

Mr. Chairman, I ask all of my colleagues to please, let us vote against H.R. 1995 and let us approve the Martinez amendments that will really bring about empowerment of teachers.

Mr. Chairman, I rise in opposition to the Teacher Empowerment Act. This bill represents a piecemeal approach to addressing educational issues in America. Furthermore, the President has made his position clear—he will veto this legislation if it crosses his desk.

As legislators, parents, and citizens we are well aware of the need to improve teacher quality and reduce classroom size to allow all children an equal opportunity to a quality education. I urge my colleagues to continue looking at comprehensive reforms to improving teacher quality, reducing classroom size, targeting resources to the neediest schools, and encouraging academic achievement.

As a former educator, I have made strengthening our nation's educational system one of my top priorities. In the 105th Congress, I introduced the TEACH Act to better equip America's teachers to meet the needs of our children as we enter the 21st century. While drafting my TEACH Act, I worked with the National Commission on Teaching and America's Future and local boards of education because we need their input to ensure that we continue taking concrete steps toward innovation and reform in our schools.

In today's schools, we have children that are being taught in trailers that do not have heat or air conditioning and teacher shortages in key areas like math, science, and special education. Improving teacher quality is something that we need to do, but it is not a silver elixir. We need to do more!

H.R. 1995 has not reached out to the educators—most education groups do not support H.R. 1995—what does that tell us? What message are we sending to parents and children by passing H.R. 1995?

Once again, I urge my colleagues to oppose H.R. 1995 and support the Martinez substitute—H.R. 2390.

Mr. GOODLING. Mr. Chairman, I yield myself such time as I may consume. I want to make sure that the gentlewoman understands that there is no targeting whatsoever in Goals 2000 money. No targeting whatsoever. Her school districts are guaranteed the same amount of money they get now or more. I just want to make sure we understand that.

Mr. Chairman, I yield 2 minutes to the gentleman from Utah (Mr. COOK).

Mr. COOK. Mr. Chairman, I rise today in strong support of the Teacher Empowerment Act. I thank the chairman for including my bill, House Concurrent Resolution 151, in the manager's amendment. My bill directs Federal funding for training elementary and secondary school teachers in the areas of science, mathematics and engineering.

Several recent assessments of the progress of student performance in the areas of science and mathematics have shown disturbing results. One test in particular, the Third International Mathematics and Science Study, showed that in science and mathematics, the United States is one of only a few countries whose scores, relative to the rest of the world, were actually lower after 12th grade than after the 8th grade. Further, in all five content areas of physics and in all three content areas of advanced mathematics, U.S. students' performance was among the lowest of the nations tested.

Mr. Chairman, this amendment has within it a section that expresses the sense of this Congress that Federal funding for elementary and secondary teacher training be used first for activities to advance science, mathematics and engineering education for elementary and secondary teachers.

I am proud to support such a step that would give educators the tools to instruct our students in these areas that it is obvious that we need to give extra attention to. I ask my colleagues to support this bill.

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. SAWYER).

Mr. SAWYER. Mr. Chairman, I thank the gentleman from Missouri for the opportunity to comment on the measure before us.

I would like very much to associate myself with the comments that were made earlier by the gentlewoman from Hawaii who spoke in terms of the role of Federal funding in education over the last 30 years, focusing as it does on areas of the greatest need. In those terms, I take a back seat to no one in terms of the goals of this bill. The work that I have done over 10 years on the Committee on Education and the Workforce, focusing on math and science, particularly the professional development of teachers, class size, teacher quality, teacher availability and funding accountability, I like to think is second to none following the leadership of the gentleman from Missouri and his predecessors in the leadership of that committee.

But there is something that is critical to all of us that we need to understand, and that is a matter of simple arithmetic. Today we face the largest student population in the Nation's history. It is larger than it reached at its record levels during the baby boom whose school population attended in the 1960s. It will surpass those records and break the record every year for the next 12 to 15 years. That sets up one dynamic. At the same time, we are facing the retirement crisis that we will face in the general population 10 to 12 years from now in the immediate future in the teacher cohort. Virtually half of those who are currently teaching are probable retirees in the next 7 to 8 years. That means that the kind of targeting that the gentlewoman from Hawaii was talking about over the last 30 years becomes even more critical in the topic that brings us here today.

I take no issue with the goals of those who have written this bill, but I do take issue with the way in which they have failed to articulate and direct dollars where they can do the most good in the immediate future. I oppose the bill in its current form and urge other Members to do likewise.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Chairman, I rise in strong support of this bill. This is a good bill. I commend the gentleman from Pennsylvania for bringing this bill to the floor and I thank him for yielding this time to me.

This bill emphasizes local control and flexibility and will lead to many more improvements in education than if we stick with an old, outmoded, one-size-fits-all big government type of system. This bill would help ensure that

more Federal education funds get into the classroom rather than into the black holes of Federal and State bureaucracies.

But because of the need as just pointed out by the gentleman from Ohio about hiring teachers in the next few years, I particularly rise to urge support for an amendment that strengthens efforts toward alternative certification programs. This amendment was introduced by the gentleman from New York (Mr. LAZIO), the gentlewoman from New Mexico (Mrs. WILSON) and myself.

Under most State laws on certification, people like an Albert Einstein or a Winston Churchill would not be allowed to teach in our schools. People like Howard Baker and Alan Greenspan if they were willing and most Ph.D.'s could not teach in our public schools because they did not take a few education courses.

It makes no sense, Mr. Chairman, to say that a college professor with many years of teaching experience and grade expertise in a field cannot teach in a public high school simply because he had not taken a few education courses.

The Education Secretary of Pennsylvania, speaking of his own efforts to set up an alternative certification program said a few days ago:

> We also know there are talented, energetic Pennsylvanians who didn't enroll in these programs, yet have the skills and expertise to greatly enrich our classrooms. This program gives us a way to tap into these people: World-class scientists actually sharing their experience with Pennsylvania students; engineers teaching physics; private-sector statisticians teaching advanced mathematics in high school; retired executives teaching the fundamentals of business or economics; experienced college professors returning to the public school classroom.

Local school boards, Mr. Chairman, should be allowed to consider a degree in education as a plus or positive factor in hiring teachers but they should not be prohibited from hiring people who have great knowledge, experience and success in a field just because they have not taken a few education courses.

Mr. CLAY. Mr. Chairman, I yield 1½ minutes to the gentleman from Tennessee (Mr. FORD).

Mr. FORD. Mr. Chairman, I thank the gentleman from Missouri and the gentleman from Pennsylvania for bringing the bill to the floor, the gentleman from California (Mr. MARTINEZ) and all who have worked so hard on this.

Never have I ever heard of a prison in America that suffers from overcrowding that we did not take appropriate steps to alleviate those pressures. Yet we are all fully aware that many of our teachers and many of our schools and superintendents and parents throughout the Nation confront a great problem day in and day out. Oftentimes they are in rural districts and urban districts. Sometimes they are African American kids, sometimes they are Hispanic kids, sometimes they are white kids. But they are children, trying to learn and trying to have knowledge imparted to them.

What we are faced with today is an opportunity, Mr. Chairman. I have not made my mind up on final passage, but I will vote ''yes'' on the Democratic substitute and urge all of my colleagues to do that. We have an opportunity to maintain or honor the commitment that we here in this Congress made last year to help fund 100,000 new teachers. The gentleman from California (Mr. GEORGE MILLER) has worked closely with those on the other side to include some accountability provisions to ensure that we get qualified teachers. It has been shown that a qualified teacher in the early years has an incredible impact on the lasting ability of a young person to learn and to absorb knowledge. Yet in H.R. 1995, the underlying bill, we consolidate the authorization. We do not maintain two separate funding tracks to ensure that we have money for class size and money for teacher quality.

I urge my colleagues to vote ''yes'' on the Democratic substitute. Let us see what happens there before we go rushing to judgment on H.R. 1995.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Chairman, I thank the gentleman for yielding me this time. I am grateful to him and to the gentleman from California (Mr. MCKEON) for bringing this bill to the floor. I am also grateful to the gentleman from Missouri (Mr. CLAY) for the great work he has done on this committee for so many years, and I am pleased to have had the opportunity to serve from our State with him and appreciate his commitment to this debate and his commitment to better education. I think that is what this debate is about. I think this bill, the base bill, provides that. Certainly the gentleman from Tennessee (Mr. FORD) just mentioned appropriately the importance of quality teachers in the early grades. But I think quality teachers are important throughout the process.

What this legislation does is allow ways to enhance the quality of teachers. It really decides where that decision is going to be made, whether that decision is going to be made in Washington, whether the decision as to what a local school district needs is made here on the floor of the Congress and here in the Halls of the bureaucracy in Washington or whether it is made in the school district, whether it is made in the principal's office in conjunction with the teacher and the school board and parents. I think they can best make those decisions. This bill is another step in that direction. Certainly reducing class size is an option here. But so is better education and special education. More funding for special education teachers, more mentoring, more teacher quality, all of those things have the potential to have great impact in different situations in different districts. We do not know here.

The gentleman from Delaware (Mr. CASTLE) mentioned earlier that in Delaware they are already down to 17 students as the maximum in a class in elementary. But there are certainly things I am confident in Delaware that they need, that they have not done all they need to do. Simply because they have made the steps already to reduce class size does not mean we should penalize people in that State from being able to do other things that enhance quality of education. I believe this bill does that. I am grateful that it is on the floor today. I intend to vote for it and encourage my colleagues not to be for the substitute.

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Mr. CLAY. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. ETHERIDGE).

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

Mr. ETHERIDGE. Mr. Chairman, I thank the gentleman from Missouri (Mr. CLAY) for yielding the time; and, Mr. Chairman, I rise in opposition to this block grant bill and urge my colleagues to vote for the Martinez substitute against H.R. 1995.

I do not need to remind my colleagues that I have spent a number of years working in the public schools, certainly in my State for 8 years as State superintendent of schools; and I know firsthand what challenges our teachers face, and I commend both sides of the aisle for the work on this bill. I just wish they had gone farther to make it right.

If America is going to make the most of the opportunities in the 21st century, we must improve academic performance for all of our children, all of our children, not just a few. Quality instruction is absolutely critical in this effort.

The three proven keys to improving education are, 1, reduce class sizes; 2, improving the quality of instruction; 3, a rich curriculum with assessment and accountability so that continued progress can be made. And this bill, 1995, does not do that.

Federal support is critically necessary in achieving effective professional development in class size reduction. We cannot put it together. H.R. 1995 fails to live with that needed support, and for me it really creates a problem when they fail to reauthorize the Board for Professional Teachers Standards that has made a difference in this country, and my State has an awful lot of teachers certified under that.

If we do not reduce class size and we lump it together in the block grant, I know what will happen; my colleagues know what will happen. The Committee on Appropriations will start cutting the money, and we will not see it again; it will be gone.

Reducing class size and expanding professional development will be doubled under the Martinez substitute

over the next 5 years. That is how to improve the opportunity for education for all children. Do not flat-line the appropriation and lump it together; that is how to make a difference. Mr. Chairman, that is how to improve education. The substitute does that.

H.R. 1995 greatly reduces the targeting of Federal resources to the neediest districts in America, for the highest poverty areas, for the largest class sizes and the greatest shortage of qualified teachers. We are going to improve the number of teachers in this country when they truly believe there is a commitment at every level to make sure that we are going to be there year in and year out; and if we pass a 5-year bill and block grant it, I can assure my colleagues of one thing: they will send a message across America that reducing class sizes are not important once again. That is a mistake; I hope we do not do it.

Finally, let me say to my colleagues that this bill says that an education authority is the State. Do my colleagues know what the State is? It is the governor or whomever has designed it. Every bill that I have ever seen says the State education agency. This bill works subtly, moves it to governors who serve 4-year terms, and it takes it out of the education department, and, Mr. Chairman, that will be the biggest mistake we have made beyond block granting. We will rue the day if that should pass.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. FOSSELLA).

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

Mr. FOSSELLA. Mr. Chairman, I thank the gentleman from Pennsylvania for yielding this time to me, and let me say I think what I believe at least is we should all accept what the common bond is here, and I think every Member of this body, Republican, Democrat, Independent, are committed to improving education for all American schoolchildren.

But I think where the differences are is how best to improve education. Do we want to raise academic standards? Do we want to provide flexibility to the local communities? Do we want to ensure that the best and brightest teachers get rewarded with merit pay? Do we want to ensure that the teachers in the classrooms are the best for our children? I think this bill does all that and more, and when we talk about things like local control, let me state a fact that I believe to be true.

I do not know what is best for the schoolchildren in Santa Clara, California, but I think we can work with the teachers and parents and administrators in Staten Island and Brooklyn where I live to determine what is best, whether it is reading and math skills, whether they need improvement, or smaller class sizes, or special education.

I think when we bring control back to our local communities, whether it is Staten Island, Brooklyn, or all across the country, the average and ordinary common sense American will tell us, give us the ability to control what is best for our children and our local schools, and they will say that is the right way to go.

And again, whether it is reducing class size or merit pay or increasing standards in math and reading and writing, this is the right approach. I urge adoption of the final passage. It is right for education, it is right for the children who are going to school every single day, and it is the right message to send to the teachers of America that we are with them and we want them to see nothing but the best for themselves and the kids in their classrooms.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Chairman, I rise in support of H.R. 1995, the Teacher Empowerment Act, which provides States and local school districts with the support and flexibility to improve the quality of teacher force and to reduce class size.

Now what we see here is an important educational, philosophical debate at stake. Do we trust parents, teachers, local school board members to reform education, to address the needs of our children in our schools and our unique communities, or do we want to continue to go down the road of having Washington fix these problems, having a Washington that knows the best solution?

Now there is an area that I have particular concern about which is in disabilities education. The IDEA, Individuals with Disabilities Education Act, is a good act. We need to provide disability education for our children. However, the Federal Government imposes an unfunded mandate on our local school districts, as do most State governments. In Wisconsin we have a revenue-cap State, so every amount of unfunded mandate that comes from Washington on our local school districts comes right out of a local school district budget.

I have met with so many district administrators, school board members, parents and teachers in the first district of Wisconsin, and they tell me, Give us regulatory relief, fund your unfunded mandates, give us local control. We know what works; we need to find solutions for our schools.

Mr. Chairman, this bill goes so far down that road of freeing up the genius within our local school districts, getting those who are on the front line of the fight to improve our schools by getting teachers, parents, school boards, and administrators involved in fixing quality teacher improvement and teacher education.

It also helps us hire special-education teachers to get at that unfunded disability education mandate which is crippling so many local school districts. By giving them the money they can use to hire those special education teachers, they can help cover that unfunded mandate, because in Janesville, Wisconsin, we promised the Federal Government we would fund 40 percent of disabilities education, but we are only funding 7 percent.

This goes a long ways toward covering unfunded Federal mandates. A vote for the Martinez substitute is a vote for Washington knows best, one-size-fits-all. A vote for final passage is a vote to let local control rule.

Mr. CLAY. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Chairman, I thank my friend, the ranking member, for yielding this time to me.

I rise in joining with the spokesman for the Parent Teachers Association of America, the organizations of teachers throughout America, and the organization of school board leaders throughout America in opposing the bill that is before us.

The bill that is before us makes seductive claims but fails to deliver on them when we read the bill. There is probably no one in this body that would not want to vote for legislation that provides a significant source of funding for local school decision-makers to do good things to improve public education in their communities. That is a very seductive claim, but, Mr. Chairman, read the bill, because that is not what the bill accomplishes.

Support for this bill rests on two claims. The first is, as one of my friends on the other side said, we can have our cake and eat it too. With all due respect, I think his claim is more like Marie Antoinette. It is let them eat cake, because this bill does not say that any significant amount will be guaranteed for class size reduction. It says a portion of the funds will be dedicated to class size reduction. One percent, that qualifies. Five percent, that qualifies. How large the portion is is not spelled out in this legislation.

They also make the seductive claim that this will improve teacher quality, and we are all for that; and they talk about reducing the power of bureaucrats, and we are all for that. But, Mr. Chairman, there is some bureaucrats in State education departments too, and there are some bureaucrats in local school districts too, and when they get ahold of the language that is in this bill, there is the chance for them to drive a truck through the loophole.

This bill says that they can use the money to establish programs that recruit professionals from other fields and provide such professionals with alternative routes to teacher certification. I assume they can hire a headhunting firm under a consulting contract to hire new teachers. This bill says they can use the money to create innovative professional development programs including programs that train teachers to utilize technology. I

guess that means they can hire 5 or 10 new administrators that could design a program to teach technology and attend conferences.

It says they can use the money for development and utilization of proven cost-effective strategies for the delivery of professional development activities such as technology. I guess that means if the board of education wanted to attend a conference at Disney World to learn about technology, they could use Federal money to do so.

We are celebrating the 30th anniversary of man's landing on the Moon from the Nixon administration. This bill reminds me of the Nixon administration. It is revenue sharing for public education. It is wrong, and it should be defeated.

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

Mr. Chairman, first of all, let me say that lowering class size is a bipartisan issue. We feel just as strongly on either side that that comes about third. Parents first, and then a qualified teacher in the classroom, and then class size. What is the difference whether there are 19 or 20 or 21 or 22, if as a matter of fact there is no quality in front of that classroom?

So reducing class size, of course, is a bipartisan effort.

We discovered in California they could not do it; they could not put quality in the classroom, and that is a tragedy because now we have reduced the class size, but what we have given them instead of the teacher they had who had some quality to provide education to 20, 21, 22, 23 children, they now have someone providing anything but quality.

So, Mr. Chairman, we have heard over and over again on both sides of the aisle, what have we gotten for $120 billion in Title I? The way it has been phrased each time I have heard it is, what have the taxpayers gotten for $120 billion in Title I? I always change that by saying: What did the child get? Because that is the important issue. Both are important issues, but the child is very important.

So, as we reauthorize for the first time in the history of these programs, we are looking to see what did the children get for the taxpayers' dollars that were spent. And then we hear people say: Well, what did the taxpayer get for $177 billion spent on the Elementary Secondary Education Act? I again say: What did the children get?

And we are looking at every issue making sure that the children are number one, and we want to make sure that they are quality programs; and in order to do that there has to be a quality teacher in the classroom.

□ 1445

We give them that opportunity.

Mr. Speaker, we just read where they are laying off, firing, 250 teachers in Baltimore City. They say they want to get excellence, and so they are firing them. One of my major concerns is, and I went through this when the baby boomers came and the teachers I had to employ were not those that I would have liked to have employed, but they probably could have taken some of this money and at least taken 100 of those teachers that they are going to fire and made them far better classroom teachers than they are ever going to get if they go out now and try to replace them.

So I would ask everyone to support the legislation after I offer the manager's amendment.

Mr. GARY MILLER of California. Mr. Chairman, I rise today in support of H.R. 1995.

I would like to thank Chairman GOODLING, Representative BUCK MCKEON and the other members of the House Education and Workforce Committee who worked very hard on this wonderful piece of legislation.

I am please that the language from my H.Res. 153 was included in the Manager's Amendment. The Resolution expresses the sense of the Congress that Federal funding for elementary and secondary teacher training be used first for science scholarships for elementary and secondary teachers.

As noted recently by Federal Reserve Chairman Alan Greenspan, the growth of our national economy is driven by continuous technical innovation. In order to sustain this trend, we must promote the ability of our students especially in the subjects of math and science.

Unfortunately, the lack of academic foundation is profound among high school mathematics and science teachers. More that 30 percent do not even have a college minor in math or science. Many elementary school teachers admit that they feel uncomfortable teaching science due to the lack of knowledge and understanding of scientific concepts.

Without confidence in the subject, or the depth of knowledge necessary to explain new concepts well and answer students' questions, it is not surprising that teachers are having difficulty igniting students' interest in math and science.

It is also not surprising that a large percentage of good teachers are becoming frustrated and leaving the teaching profession.

The Teacher Empowerment Act will solve this problem.

This bill sends money directly to states and localities, allowing them the flexibility to spend the money on what they need most—additional, and better trained, teachers.

H.R. 1995 focuses on the need for improved math and science education and promotes the professional development of all teachers.

The bill allows teachers (especially ones who teach math and science) to choose from among high quality professional development programs in cases where school districts fail to provide such training.

All of the professional development programs must demonstrate that (1) they increase teacher knowledge and (2) improve student academic achievement. This ensures that the programs teachers, and the students are held to high standards.

I urge my colleagues to vote in favor of H.R. 1995. It is our duty to equip our children with the education and technological skills needed to compete successfully in the new global economy.

Mr. PAUL. Mr. Chairman, I rise reluctantly to express my opposition to the Teacher Empowerment Act (H.R. 1995). Although H.R. 1995 does provide more flexibility to states than the current system or the Administration's proposal, it comes at the expense of increasing federal spending on education. The Congressional Budget Office (CBO) estimates that if Congress appropriates the full amount authorized in the bill, additional outlays would be $83 million in Fiscal Year 2000 and $6.9 billion over five years.

H.R. 1995 is not entirely without merit. The most important feature of the bill is the provision forbidding the use of federal funds for mandatory national teacher testing or teacher certification. National teacher testing or national teacher certification will inevitably lead to a national curriculum. National teacher certification will allow the federal government to determine what would-be teachers need to know in order to practice their chosen profession. Teacher education will revolve around preparing teachers to pass the national test or to receive a national certificate. New teachers will then base their lesson plans on what they needed to know in order to receive their Education Department-approved teaching certificate. Therefore, all those who oppose a national curriculum should oppose national teacher testing. I commend Chairman GOODLING and Chairman MCKEON for their continued commitment to fighting a national curriculum.

Furthermore, this bill provides increased ability for state and local governments to determine how best to use federal funds. However, no one should confuse this with true federalism or even a repudiation of the modern view of state and local governments as administrative agencies of the Federal Government. After all, the very existence of a federal program designed to ''help'' states train teachers limits a state's ability to set education priorities since every dollar taken in federal taxes to fund federal teacher training programs is a dollar a state cannot use to purchase new textbooks or computers for students. This bill also dictates how much money the states may keep versus how much must be sent to the local level and limits the state government's use of the funds to activities approved by Congress.

In order to receive any funds under this act, states must further entrench the federal bureaucracy by applying to the Department of Education and describing how local school districts will use the funds in accordance with federal mandates. They must grovel for funds while describing how they will measure student achievement and teacher quality; how they will coordinate professional development activities with other programs; and how they will encourage the development of ''proven, innovative strategies'' to improve professional development—I wonder how much funding a state would receive if their ''innovative strategy'' did not meet the approval of the Education Department! I have no doubt that state governments, local school districts, and individual citizens could design a less burdensome procedure to support teacher quality initiatives if the federal government would only abide by its constitutional limits.

Use of the funds by local school districts is also limited by the federal government. For example, local schools districts must use a portion of each grant to reduce class size, unless

it can demonstrate to the satisfaction of the state that it needs the money to fund other priorities. This provision illustrates how this bill offends not just constitutional procedure but also sound education practice. After all, the needs of a given school system are best determined by the parents, administrators, community leaders, and, yes, teachers, closest to the students—not by state or federal bureaucrats. Yet this bill continues to allow distant bureaucrats to oversee the decisions of local education officials.

Furthermore, this bill requires localities to use a certain percentage of their funds to meet the professional development needs of math and science teachers. As an OB–GYN, I certainly understand the need for quality math and science teachers, however, for Congress to require local education agencies to devote a disproportionate share of resources to one particular group of teachers is a form of central planning—directing resources into those areas valued by the central planners, regardless of the diverse needs of the people. Not every school district in the country has the same demand for math and science teachers. There may be some local school districts that want to devote more resources to English teachers or foreign language instructors. Some local schools districts may even want to devote their resources to provide quality history and civics teachers so they will not produce another generation of constitutionally-illiterate politicians!

In order to receive funding under this bill, states must provide certain guarantees that the state's use of the money will result in improvement in the quality of the state's education system. Requiring such guarantees assumes that the proper role for the Federal Government is to act as overseer of the states and localities to ensure they provide children with a quality education. There are several flaws in this assumption. First of all, the 10th amendment to the United States Constitution prohibits the Federal Government from exercising any control over education. Thus, the Federal Government has no legitimate authority to take money from the American people and use that money in order to bribe states to adopt certain programs that Congress and the federal bureaucracy believes will improve education. The prohibition in the 10th amendment is absolute; it makes no exception for federal education programs that ''allow the states flexibility!''

In addition to violating the Constitution, making states accountable in any way to the federal government for school performance is counter-productive. The quality of American education has declined as Federal control has increased, and for a very good reason. As mentioned above, decentralized education systems are much more effective then centralized education systems. Therefore, the best way to ensure a quality education system is through dismantling the Washington-DC-based bureaucracy and making schools more accountable to parents and students.

In order to put the American people back in charge of education, I have introduced the Family Education Freedom Act (H.R. 935) which provides parents with a $3,000 tax credit for K–12 education expenses and the Education Improvement Tax Cut Act (H.R. 936), which provides all citizens with a $3,000 tax credit for contributions to K–12 scholarships and for cash or in-kind donations to schools. I have also introduced the Teacher Tax Cut Act, which encourages good people to enter and remain in the teaching profession by providing teachers with a $1,000 tax credit. By returning control of the education dollar to parents and concerned citizens, my education package does more to improve education quality than any other proposal in Congress.

Mr. Chairman, the Teacher Empowerment Act not only continues the federal control of education in violation of the Constitution and sound education principles, but it does so at increased spending levels. I, therefore, urge my colleagues to reject the approach of this bill and instead join me in working to eliminate the federal education bureaucracy, cut taxes, and thus return control over education to America's parents, teachers, and students.

Mr. WEYGAND. Mr. Chairman, I have several concerns about the Teacher Empowerment Act, most notably the manner in which funds may be diverted from class size reduction programs. I also have concerns that the bill does not permit the use of funds to help the development of other education professionals, including school counselors. Having witnesses the recent spate of violence in our schools, Congress must recognize the necessity for the continued development of these professionals and I am disappointed this legislation does not address this need.

I am mostly concerned, however, with what is not included in this legislation—professional development for our early childhood educators. I agree that we need to continue addressing the professional development needs of our elementary and secondary school teachers. I believe, however, that we also need to focus a great deal of our attention on the ever increasing needs of our child care workforce.

We have all seen the studies which illustrate the need to promote healthy development of the brain in the earliest of years—from zero to six. Researchers at the University of Chicago have demonstrated that a child's intelligence develops equally as much during the first four years of his or her life as it does between the ages of four and eighteen.

In order to ensure quality in child care in these crucial early years, we need dedicated and well-educated child care workers. Unfortunately, the field has historically had a significant problem attracting and retaining these quality workers. Nationally, child care teaching staffs earn an average of $6.89 per hour or $12,058 per year, only 18 percent of child care centers offer fully paid health coverage for teaching staff and one-third of all child care teachers leave their centers each year. According to the Center for the Child Care Workforce, preschool teachers in my state of Rhode Island earn a little over $10 per hour and child care workers earn approximately $7.25 per hour. Professional child care employees care for our nation's most precious resource—our children. Yet, in many instances, child care workers earn little and have one of the highest turnover rates of any profession.

I have introduced legislation, the Child Care Worker Incentive Act, which seeks to improve the quality and compensation of our early childhood education professionals through the use of scholarships. This legislation, included in the Democratic Child Care package, is modeled after a successful program begun in North Carolina and replicated in several other states. I firmly believe that we can improve the quality of early childhood education with scholarships and increased educational opportunities for our children's early childhood education professionals.

When casting your vote today, I ask you to keep in mind the work we must still do to increase quality education for all of our children.

Mr. SALMON. Mr. Chairman, I rise today in support of H.R. 1995, the Teacher Empowerment Act. By combining and streamlining existing federal education programs, this legislation will provide states and localities with the flexibility they need to improve our children's education. I was pleased to be able to include in the manager's amendment, with the gracious support of Chairman GOODLING and Mr. MCKEON, a provision that will allow states to use federal money to conduct background checks on teachers.

Cases of teachers who rape, molest, and even murder their students have been occurring with frightening regularity. Even more frightening is the fact that many of these predators who find their way into our children's classrooms are previously convicted sex offenders. They are able to conceal their criminal records because some schools cannot afford to pay for a background check on every prospective teacher. As a result, thousands of children every day, in schools across America, enter the classroom with no protection. My provision simply would allow schools to use federal money to conduct background checks to insure that criminals who target children are not allowed into the classroom.

Teachers are some of our most revered role models. We entrust them with the greatest responsibility; to care for our children when we are gone. Not only do they teach our children to read, write and do arithmetic, but they shape and influence the attitudes and values our children carry into adulthood. When that trust is violated, innocent children and families pay the price.

Obviously, the overwhelming majority of teachers are caring, law-abiding citizens. Nevertheless, we should spare no expense to insure that every child who enters the classroom is protected from those who prey upon the innocence of youth.

Mr. EVERETT. Mr. Chairman, as we begin examining education initiatives to reauthorize the Elementary and Secondary Education Act of 1965, there are a few things to consider: How can we best help our local schools? What legislation will give local schools the most flexibility to improve education? What programs will authorize local schools to make important decisions that will effect their future?

The Teacher Empowerment Act (H.R. 1995) is designed to improve teacher quality and reduce class size by giving local school systems the management authority to make the necessary improvements. The bill gives local education agencies the freedom to decide which programs will help them achieve the best results.

Teachers are charged with the responsibility of making sure that our children are prepared for the future. How can we expect them to instruct our children if they are not knowledgeable themselves? Beyond blanket certification testing, this bill gives teachers the funds to actually continue their own learning. As we enter the 21st century, educators will continue to face constant challenges. Technology will change, and teachers must be able to maintain their proficiency and keep up a high level of instruction quality.

Beyond professional development, the bill also authorizes local school districts to reduce class size. It is impossible and impractical for us, here in Washington, to mandate exactly how these goals will be attained. One school may already have enough funds for teacher training, while another may not need to reduce class size. Each school district varies according to need, and by authorizing funds to be used at the discretion of the school districts, we will provide more meaningful improvements.

Mr. Chairman, I'm a firm believer that local schools should be afforded the flexibility to use federal funds to address their most pressing needs. This bill would provide general guidelines to achieve similar goals, but it would still allow local schools to decide exactly where to place the most emphasis to achieve superior education results for our children.

Mr. DINGELL. Mr. Chairman, the United States has long been proud of its public schools. Our schools, locally supported and run, have increased our country's prosperity, raised our quality of life, and been the source of tremendous community pride. Supporting our public schools has been, and always must be, a duty we perform in full.

Our public schools face a variety of problems today that make it difficult for them to perform their mission of providing a world-class education to all children, regardless of race, gender, religion, or economic status. The people of our country, from coast to coast, realize that we must invest in public schools now. At this time, with our schools crowded, outdated, understaffed, and underfunded, we must pull together to provide educators the tools they need to guarantee that our country's future will be bright.

My colleagues on both sides of the aisle are well aware of the seriousness of the problems faced by our schools. We are concerned about soaring student enrollment, the shortage of qualified teachers, and acute school construction needs. In Dearborn, Michigan, and in other school districts in my district, students must learn in temporary classrooms. These cheaply constructed buildings, often just trailers, are hardly long-term solutions to crowded classrooms. While many schools lack enough classrooms, many others have insufficient roofing, heating, and plumbing.

As public schools—where 90% of our nation's children are enrolled—face these daunting challenges, politicians have rushed to reform education. Reform is needed, but hastily passed and poorly written legislation fails to provide accountability or guarantee positive results. We must not, for reform's sake, endorse education measures offering vague objectives. Doing so is gambling with our future.

Remember what a great idea charter schools were? They were going to save schools here in DC, in Michigan, and everywhere. Have charter schools proven their worth? The answer is a loud NO. Studies in Michigan have shown little, if any, educational benefit. At the same time, they have sucked public monies from public schools that desperately need additional funding. Today's Washington Post chronicles the mismanagement and poor achievements of one of the District's charter schools; this school—opened in 1996 without accountability—robbed taxpayers of their money and jeopardized the future of many young people.

Today we debate the Teacher Empowerment Act. This bill promises more local control, increased support for teachers, and class-size reduction, but does none of these things. It offers only vague accountability. It does not address class-size reduction. While giving more power to state governments, it does not give more control to local schools. Nor does this bill provide ongoing professional development.

Ideally, giving states education block grants with no strings attached would allow education-friendly governors to work with educators to meet the challenges of today and tomorrow, and improve our schools. We do not live in an ideal world. Many governors, by their words and deeds, are not friends of public schools. They have used teachers and schools alike as punching bags to further their own political agenda. More seriously, they have implemented education policies that abandon public schools by subsidizing private schools with public tax dollars. I am opposed to giving these ''reform-minded'' governors more control.

Mr. Chairman, despite the good intentions of my colleagues on the other side of the aisle, this bill will not solve the many problems public schools face. These problems demand answers far and beyond block grants and waivers to rules in quality federal education programs. I am hopeful that we can all work together, write quality legislation, help our schools, and protect our nation's future.

Mr. PETRI. Mr. Chairman, I rise in strong support of H.R. 1995, the Teacher Empowerment Act. By combining several current Federal education programs, including Goals 2000, the President's ''100,000 New Teachers'' program and the Eisenhower Professional Development program, this initiative will provide States and localities with the support and flexibility they need to provide quality training for teachers and reduce class size.

Recently, the Clinton Administration unveiled its proposal to improve teacher quality and student achievement. Not surprisingly, the Administration wants to impose a ''one-size-fits-all'' approach to education by mandating that schools use $1.2 billion of the funds under the Teacher Empowerment Act to reduce class size.

Its proposal goes even further by mandating that local schools use their own funds to reduce class size to 18 or less in the early grades. H.R. 1995 provides an alternative.

It allows schools both to improve teacher quality and reduce class size—but unlike the President's proposal, it allows school districts to determine the correct balance between these two strategies.

The Teacher Empowerment Act gives States and localities flexibility to focus on initiatives they believe will improve both teacher quality and student performance, such as programs to promote tenure reform, teacher testing, merit-based teacher performance systems, alternative routes to teacher certification, differential and bonus pay for teachers in ''high need'' subject areas, mentoring, and in-service teacher academies.

Furthermore, it holds them accountable to parents and taxpayers for demonstrating results measured in improved student performance and higher quality teachers.

The President's current ''100,000 New Teachers Program'' lacks any requirement that schools reducing their class size demonstrate that such reduction is in fact improving student achievement.

The accountability provisions in the TEA legislation help to end more than 30 years of funding Federal professional development programs without any accountability for how they help students learn. It brings into focus the purpose of the federal investment in teachers and professional development—helping children reach their fullest potential.

The TEA bill ensures that states and school districts receiving these funds use effective ways of raising teacher quality that improve student performance and narrow the achievement gap between high and low performing students.

H.R. 1995 is a well-balanced piece of legislation that allows States and local school districts to use funds to meet their individual professional needs. I urge my colleagues to support this legislation.

Mr. SANDLIN. Mr. Chairman, I rise today in opposition to H.R. 1995, the so-called Teacher Empowerment Act, and in support of the Martinez substitute. In its current form, this legislation does not empower teachers. Instead, it pits valuable programs—class size reduction, Goals 2000, and other professional development programs—against each other.

Teacher quality and professional development are among the most important things we can provide our teachers to ensure they are able to properly do their jobs. We entrust teachers with our most important resource—our children. We should be doing everything within our power to give them the tools they need to do their jobs. Instead, H.R. 1995 would force schools to choose between reducing class size and providing high quality professional development.

The class size reduction program we enacted just last year was an important step in the right direction. One of the biggest problems facing our schools is overcrowded classrooms. In many of our classrooms, there are 35 students for every teacher. Unfortunately, H.R. 1995 would threaten the future of last year's effort by allowing funds to be diverted to other uses without requiring that our class sizes be reduced.

In my home state of Texas, class-size limits were enacted in the mid-1980s. Those limits have clearly shown that reducing class size improves student achievement as teachers are better able to deal with individual students' needs. Because of the Texas experience, I know how important it is to reduce class size. We should expand upon the program we initiated in the last Congress, not dilute it.

The Martinez substitute does expand that program. It authorizes $1 billion more than H.R. 1995 for teacher recruitment and training, and $500 million more for training special education teachers. It does not pit important programs against one another.

Mr. Chairman, let's finish what we started. Support the Martinez substitute.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill is considered as an original bill for the purpose of amendment and is considered read.

The text of H.R. 1995 is as follows:

H.R. 1995

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 ''Teacher Empowerment Act''.

SEC. 2. TEACHER EMPOWERMENT.

(a) IN GENERAL.—Title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) is amended—

(1) by striking the heading for title II and inserting the following:

"TITLE II—TEACHER QUALITY"*;*

(2) by repealing sections 2001 through 2003; and

(3) by amending part A to read as follows:

"PART A—TEACHER EMPOWERMENT

"SEC. 2001. PURPOSE.

''The purpose of this part is to provide grants to States and local educational agencies in order to assist their efforts to increase student academic achievement through such strategies as improving teacher quality.

"Subpart 1—Grants to States

"SEC. 2011. FORMULA GRANTS TO STATES.

''(a) IN GENERAL.—In the case of each State that in accordance with section 2013 submits to the Secretary an application for a fiscal year, the Secretary shall make a grant for the year to the State for the uses specified in section 2012. The grant shall consist of the allotment determined for the State under subsection (b).

''(b) DETERMINATION OF AMOUNT OF ALLOTMENT.—

''(1) RESERVATION OF FUNDS.—From the amount made available to carry out this subpart for any fiscal year, the Secretary shall reserve—

''(A) ½ of 1 percent for allotments for the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be distributed among these outlying areas on the basis of their relative need, as determined by the Secretary in accordance with the purpose of this part; and

''(B) ½ of 1 percent for the Secretary of the Interior for programs under this part for professional development activities for teachers, other staff, and administrators in schools operated or funded by the Bureau of Indian Affairs.

''(2) STATE ALLOTMENTS.—

''(A) HOLD HARMLESS.—

''(i) IN GENERAL.—Subject to subparagraph (B), from the total amount made available to carry out this subpart for any fiscal year and not reserved under paragraph (1), the Secretary shall allot to each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico an amount equal to the total amount that such State received for fiscal year 1999 under—

''(I) section 2202(b) of this Act (as in effect on the day before the date of the enactment of the Teacher Empowerment Act);

''(II) section 307 of the Department of Education Appropriations Act, 1999; and

''(III) section 304(b) of the Goals 2000: Educate America Act.

''(ii) RATABLE REDUCTION.—If the total amount made available to carry out this subpart for any fiscal year and not reserved under paragraph (1) is insufficient to pay the full amounts that all States are eligible to receive under clause (i) for any fiscal year, the Secretary shall ratably reduce such amounts for such fiscal year.

''(B) ALLOTMENT OF ADDITIONAL FUNDS.—

''(i) IN GENERAL.—Subject to clause (ii), for any fiscal year for which the total amount made available to carry out this subpart and not reserved under paragraph (1) exceeds the total amount made available to the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico for fiscal year 1999 under the authorities described in subparagraph (A)(i), the Secretary shall allot such excess amount as follows:

''(I) 50 percent of such excess amount shall be allotted among such States on the basis of their relative populations of individuals aged 5 through 17, as determined by the Secretary on the basis of the most recent satisfactory data.

''(II) 50 percent of such excess amount shall be allotted among such States in proportion to the number of children, aged 5 to 17, who reside within the State from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data are available, compared to the number of such individuals who reside in all such States for that fiscal year.

''(ii) EXCEPTION.—No State receiving an allotment under clause (i) may receive less than ½ of 1 percent of the total excess amount allotted under clause (i).

''(3) REALLOTMENT.—If any State does not apply for an allotment under this subsection for any fiscal year, the Secretary shall reallot such amount to the remaining States in accordance with this subsection.

"SEC. 2012. WITHIN-STATE ALLOCATIONS.

''(a) USE OF FUNDS.—Each State receiving a grant under this subpart shall use the funds provided under the grant in accordance with this section to carry out activities for the improvement of teaching and learning.

''(b) REQUIRED AND AUTHORIZED EXPENDITURES.—

''(1) REQUIRED EXPENDITURES.—The Secretary may make a grant to a State under this subpart only if the State agrees to expend at least—

''(A) 95 percent of the amount of the funds provided under the grant for the purpose of making subgrants to local educational agencies under subpart 3; and

''(B) 2 percent of the amount of the funds provided under the grant for the purpose of making subgrants to eligible partnerships under subpart 2 (of which percent, up to 5 percent may be used for planning and administration related to carrying out such purpose).

''(2) AUTHORIZED EXPENDITURES.—A State that receives a grant under this subpart may expend not more than 3 percent of the amount of the funds provided under the grant for one or more of the authorized State activities described in subsection (d) (of which percent, the State may use up to 5 percent for planning and administration related to carrying out such activities and making subgrants to local educational agencies under subpart 3).

''(c) DISTRIBUTION OF SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—

''(1) FORMULA FOR 80 PERCENT OF FUNDS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a State receiving a grant under this subpart shall distribute 80 percent of the amount described in subsection (b)(1)(A) through a formula under which—

''(i) 50 percent is allocated to local educational agencies in accordance with the relative enrollment in public and private nonprofit elementary and secondary schools within the boundaries of such agencies; and

''(ii) 50 percent is allocated to local educational agencies in proportion to the number of children, aged 5 to 17, who reside within the geographic area served by such agency from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data are available, compared to the number of such individuals who reside in the geographic areas served by all the local educational agencies in the State for that fiscal year.

''(B) ALTERNATIVE FORMULA.—A State may increase the percentage described in subparagraph (A)(ii) (and commensurately decrease the percentage described in subparagraph (A)(i)).

''(2) DISTRIBUTION OF 20 PERCENT OF FUNDS.—

''(A) COMPETITIVE PROCESS.—A State receiving a grant under this subpart shall distribute 20 percent of the amount described in subsection (b)(1)(A) through a competitive process that results in an equitable distribution by geographic area within the State.

''(B) PARTICIPANTS.—The competitive process under subparagraph (A) shall be open to local educational agencies and eligible partnerships (as defined in section 2021(d)), except that a State shall give priority to high-need local educational agencies that focus on math, science, or reading professional development programs.

''(d) AUTHORIZED STATE ACTIVITIES.—The authorized State activities referred to in subsection (b)(2) are the following:

''(1) Reforming teacher certification, recertification, or licensure requirements to ensure that—

''(A) teachers have the necessary teaching skills and academic content knowledge in the subject areas in which they are assigned to teach;

''(B) they are aligned with the State's challenging State content standards; and

''(C) teachers have the knowledge and skills necessary to help students meet challenging State student performance standards.

''(2) Carrying out programs that—

''(A) include support during the initial teaching experience; and

''(B) establish, expand, or improve alternative routes to State certification of teachers for highly qualified individuals with a baccalaureate degree, including mid-career professionals from other occupations, paraprofessionals, former military personnel, and recent college or university graduates with records of academic distinction who demonstrate the potential to become highly effective teachers.

''(3) Developing and implementing effective mechanisms to assist local educational agencies and schools in effectively recruiting and retaining highly qualified and effective teachers and principals.

''(4) Reforming tenure systems and implementing teacher testing and other procedures to expeditiously remove incompetent and ineffective teachers from the classroom.

''(5) Developing enhanced performance systems to measure the effectiveness of specific professional development programs and strategies.

''(6) Providing technical assistance to local educational agencies consistent with this part.

''(7) Funding projects to promote reciprocity of teacher certification or licensure between or among States, except that no reciprocity agreement developed under this paragraph or developed using funds provided under this part may lead to the weakening of any State teaching certification or licensing requirement.

''(8) Developing or assisting local educational agencies or eligible partnerships (as defined in section 2021(d)) in the development and utilization of proven, innovative strategies to deliver intensive professional development programs that are both cost-effective and easily accessible, such as through the use of technology and distance learning.

''(e) COORDINATION.—States receiving grants under section 202 of the Higher Education Act of 1965 shall coordinate the use of such funds with activities carried out under this section.

''(f) PUBLIC ACCOUNTABILITY.—

''(1) IN GENERAL.—A State that receives a grant under this subpart—

''(A) in the event the State provides public State report cards on education, shall include in such report cards—

''(i) the percentage of classes in core academic subject areas that are taught by out-of-field teachers;

''(ii) the percentage of classes in core academic subject areas that are taught by teachers teaching under emergency or other provisional status through which State qualifications or licensing criteria have been waived; and

''(iii) the average statewide class size; or

''(B) in the event the State provides no such report card, shall disseminate to the public the information described in clauses (i) and (ii) of subparagraph (A) through other means.

''(2) PUBLIC AVAILABILITY.—Such information shall be made widely available to the public, including parents and students, through major print and broadcast media outlets throughout the State.

''SEC. 2013. APPLICATIONS BY STATES.

''(a) IN GENERAL.—To be eligible to receive a grant under this subpart, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(b) CONTENTS.—Each application under this section shall include the following:

''(1) A description of how the State will ensure that a local educational agency receiving a subgrant under subpart 3 will comply with the requirements of such subpart, including the required use of funds for mathematics and science programs, professional development, and hiring teachers to reduce class size.

''(2) A description of the specific performance indicators the State will use (including an identification of how such performance indicators will be measured and reported) for each local educational agency to measure the annual progress of activities funded under subpart 3 in increasing—

''(A) student academic achievement; and

''(B) teacher quality, as demonstrated through a reduction in the number of out-of-field teachers in the classroom.

''(3) A description of the bonus incentives, if any, that will be provided to local educational agencies that exceed a level of improvement established by the State based on such performance indicators, and actions the State will take in the event a local educational agency fails to meet or make progress toward such level of improvement.

''(4) A description of how the State will coordinate professional development activities authorized under this part with professional development activities provided under other Federal, State, and local programs, including those authorized under title I, title III, title IV, part A of title VII, and (where applicable) the Individuals with Disabilities Education Act and the Carl D. Perkins Vocational and Technical Education Act. The application shall also describe the comprehensive strategy that the State will take as part of such coordination effort, to ensure that teachers are trained in the utilization of technology so that technology and its applications are effectively used in the classroom to improve teaching and learning in all curriculum and content areas, as appropriate.

''(5) A description of how the State will encourage the development of proven, innovative strategies to deliver intensive professional development programs that are both cost-effective and easily accessible, such as through the use of technology and distance learning.

''(c) APPLICATION SUBMISSION.—A State application submitted to the Secretary under this section shall be approved by the Secretary unless the Secretary makes a written determination, within 90 days after receiving the application, that the application is in violation of the provisions of this Act.

''Subpart 2—Subgrants to Eligible Partnerships

''SEC. 2021. PARTNERSHIP GRANTS.

''(a) IN GENERAL.—From the amount described in section 2012(b)(1)(B), the State agency for higher education, working in conjunction with the State educational agency (if such agencies are separate), shall award grants on a competitive basis to eligible partnerships to enable such partnerships to carry out activities described in subsection (b). Such grants shall be equitably distributed by geographic area within the State.

''(b) USE OF FUNDS.—A recipient of funds under this section shall use the funds for—

''(1) professional development activities in core academic subjects to ensure that teachers have content knowledge in the subjects they teach; and

''(2) developing and providing assistance to local educational agencies and the teachers, principals, and administrators, of public and private schools in each such agency, for sustained, high-quality professional development activities which—

''(A) ensure they are able to use State content standards, performance standards, and assessments to improve instructional practices and improve student achievement; and

''(B) may include intensive programs designed to prepare teachers who will return to their school to provide such instruction to other teachers within such school.

''(c) SPECIAL RULE.—No single participant in an eligible partnership may retain more than 50 percent of the funds made available to the partnership under this section.

''(d) ELIGIBLE PARTNERSHIPS.—As used in this section, the term 'eligible partnerships' means an entity that—

''(1) shall include—

''(A) a high-need local educational agency;

''(B) a school of arts and sciences; and

''(C) an institution that prepares teachers; and

''(2) may include other local educational agencies, a public charter school, a public or private elementary or secondary school, an educational service agency, a public or private nonprofit educational organization, or a business.

''(e) COORDINATION.—Partnerships receiving grants under section 203 of the Higher Education Act of 1965 shall coordinate the use of such funds with any related activities carried out by such partnership with funds made available under this section.

''Subpart 3—Subgrants to Local Educational Agencies

''SEC. 2031. LOCAL USE OF FUNDS.

''(a) REQUIRED ACTIVITIES.—

''(1) IN GENERAL.—Each local educational agency that receives a subgrant under this subpart shall use the subgrant to carry out the activities described in this subsection.

''(2) MATHEMATICS AND SCIENCE.—

''(A) IN GENERAL.—Of the amount made available to each local educational agency under this subpart for a fiscal year, the agency shall use not less than the amount provided to the agency under section 2206(b) of this Act (as in effect on the day before the date of the enactment of the Teacher Empowerment Act) for the fiscal year preceding such enactment for professional development activities in mathematics and science in accordance with section 2033.

''(B) WAIVER.—

''(i) APPLICATION.—A local educational agency, in consultation with teachers and principals, may seek a waiver of the requirement in subparagraph (A) from a State in order to allow the local educational agency to use such funds for professional development in academic subjects other than mathematics and science.

''(ii) STANDARD FOR GRANTING.—A State may not approve such a waiver unless the local educational agency is able to demonstrate that—

''(I) the professional development needs of mathematics and science teachers, including elementary teachers responsible for teaching mathematics and science, have been adequately served and will continue to be adequately served if the waiver is approved;

''(II) State assessments in mathematics and science demonstrate that each school within the local educational agency has made and will continue to make progress toward meeting the challenging State or local content standards and student performance standards in these areas; and

''(III) State assessments in other academic subjects demonstrate a need to focus on subjects other than mathematics and science.

''(iii) GRANDFATHER OF OLD WAIVERS.—A waiver provided to a local educational agency under part D of title XIV prior to the date of the enactment of the Teacher Empowerment Act shall be deemed effective until such time as it otherwise would have ceased to be effective.

''(3) PROFESSIONAL DEVELOPMENT ACTIVITIES.—Each local educational agency that receives a subgrant under this subpart shall use a portion of such funds for professional development activities that give teachers, principals, and administrators the knowledge and skills to provide students with the opportunity to meet challenging State or local content standards and student performance standards. Such activities shall be consistent with sections 2033 and 2034.

''(4) HIRING AND RETAINING WELL-QUALIFIED AND EFFECTIVE TEACHERS.—

''(A) IN GENERAL.—Each local educational agency that receives a subgrant under this subpart shall use a portion of such funds for recruiting, hiring, and training certified teachers, including teachers certified through State and local alternative routes, in order to reduce class size.

''(B) SPECIAL RULE FOR SPECIAL EDUCATION TEACHERS.—Notwithstanding subparagraph (A), a local educational agency may use some or all of the funds described in such subparagraph to hire special education teachers regardless of whether such action reduces class size.

''(C) WAIVER.—

''(i) APPLICATION.—A local educational agency may seek a waiver of the requirement in subparagraph (A) from a State in order to allow the local educational agency to use such funds for purposes other than hiring teachers in order to reduce class size.

''(ii) STANDARD FOR GRANTING.—A State may not approve such a waiver unless the local educational agency is able to demonstrate that—

''(I) such funds will be used to ensure that all instructional staff have the subject matter knowledge, teaching knowledge, and teaching skills necessary to teach effectively in the content area or areas in which they provide instruction; or

''(II) an initiative to reduce class size would result in having to rely on underqualified teachers, inadequate classroom space, or would have any other negative consequence affecting the efforts of the local educational agency to improve student academic achievement.

''(b) ALLOWABLE ACTIVITIES.—Each local educational agency that receives a subgrant under this subpart may use the subgrant to carry out the following activities:

''(1) Initiatives to assist recruitment of highly qualified teachers who will be assigned teaching positions within their field, including—

''(A) providing signing bonuses or other financial incentives, such as differential pay, for teachers to teach in academic subject areas in which there exists a shortage of such teachers within a school or the local educational agency;

''(B) establishing programs that—

''(i) recruit professionals from other fields and provide such professionals with alternative routes to teacher certification; and

''(ii) provide increased opportunities for minorities, individuals with disabilities, and other individuals underrepresented in the teaching profession; and

''(C) implementing hiring policies that ensure comprehensive recruitment efforts as a way to expand the applicant pool, such as through identifying teachers certified through alternative routes, coupled with a system of intensive screening designed to hire the most qualified applicant.

''(2) Initiatives to promote retention of highly qualified teachers and principals including—

''(A) programs that provide mentoring to newly hired teachers, such as from master teachers, and to newly hired principals; or

''(B) programs that provide other incentives, including financial incentives, to retain teachers who have a record of success in helping low-achieving students improve their academic success.

''(3) Programs and activities that are designed to improve the quality of the teacher force, such as—

''(A) innovative professional development programs (which may be through partnerships including institutions of higher education), including programs that train teachers to utilize technology to improve teaching and learning, that are consistent with the requirements of section 2033;

''(B) development and utilization of proven, cost-effective strategies for the implementation of professional development activities, such as through the utilization of technology and distance learning;

''(C) tenure reform;

''(D) merit pay;

''(E) testing of elementary and secondary school teachers in the subject areas taught by such teachers;

''(F) professional development programs that provide instruction in how to teach children with different learning styles, particularly children with disabilities and children with special learning needs (including those who are gifted and talented); and

''(G) professional development programs that provide instruction in how best to discipline children in the classroom and identify early and appropriate interventions to help children described in subparagraph (F) learn.

''(4) Teacher opportunity payments, consistent with section 2034.

''SEC. 2032. LOCAL APPLICATIONS.

''(a) IN GENERAL.—A local educational agency seeking to receive a subgrant from a State under this subpart shall submit an application to the State—

''(1) at such time as the State shall require; and

''(2) which is coordinated with other programs under this Act, or other Acts, as appropriate.

''(b) LOCAL APPLICATION CONTENTS.—The local application described in subsection (a), shall include, at a minimum, the following:

''(1) A description of how the local educational agency intends to use funds provided under this subpart, including an assurance that the local educational agency will meet the requirements for the use of funds for mathematics and science programs, professional development, and hiring teachers to reduce class size, under section 2031.

''(2) An assurance that the local educational agency will target funds to schools within the jurisdiction of the local educational agency that—

''(A) have the highest proportion of out-of-field teachers;

''(B) have the largest average class size; or

''(C) are identified for school improvement under section 1116(c).

''(3) A description of how the local educational agency will coordinate professional development activities authorized under this subpart with professional development activities provided through other Federal, State, and local programs, including those authorized under title I, title III, title IV, part A of title VII, and (where applicable) the Individuals with Disabilities Education Act and the Carl D. Perkins Vocational and Technical Education Act.

''(4) A description of how the local educational agency will integrate funds under this subpart with funds received under title III that are used for professional development to train teachers in how to use technology to improve learning and teaching.

''(c) PARENTS' RIGHT-TO-KNOW.—A local educational agency that receives funds under this subpart shall provide, upon request and in an understandable and uniform format, to any parent of a student attending any school receiving funds under this subpart, information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, the following:

''(1) Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.

''(2) Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.

''(3) The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field or discipline of the certification or degree.

''SEC. 2033. PROFESSIONAL DEVELOPMENT FOR TEACHERS.

''(a) LIMITATION RELATING TO CURRICULUM AND CONTENT AREAS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), professional development funds under this subpart may not be provided for a teacher and an activity if the activity is not—

''(A) directly related to the curriculum and content areas in which the teacher provides instruction; or

''(B) designed to enhance the ability of the teacher to understand and use the State's standards for the subject area in which the teacher provides instruction.

''(2) EXCEPTION.—Paragraph (1) does not apply to funds for professional development activities that instruct in methods of disciplining children.

''(b) OTHER REQUIREMENTS.—Professional development activities funded under this subpart—

''(1) shall be measured, in terms of progress, using the specific performance indicators established by the State in accordance with section 2013(b)(2);

''(2) shall be tied to challenging State or local content standards and student performance standards;

''(3) shall be tied to scientifically based research demonstrating the effectiveness of such program in increasing student achievement or substantially increasing the knowledge and teaching skills of such teachers;

''(4) shall be of sufficient intensity and duration (such as not to include 1-day or short-term workshops and conferences) to have a positive and lasting impact on the teacher's performance in the classroom, except that this paragraph shall not apply to an activity if such activity is one component of a long-term comprehensive professional development plan established by the teacher and the teacher's supervisor based upon an assessment of their needs, their students' needs, and the needs of the local educational agency; and

''(5) shall be developed with extensive participation of teachers, principals, and administrators of schools to be served under this part.

''(c) ACCOUNTABILITY.—

''(1) IN GENERAL.—A State shall notify a local educational agency that the agency is on notice of the possibility that the agency may be subject to the requirement in paragraph (3) if, after any fiscal year, the State determines that the programs or activities funded by the agency fail to meet the requirements of subsections (a) and (b).

''(2) TECHNICAL ASSISTANCE.—A local educational agency that has been put on notice pursuant to paragraph (1) may request technical assistance from the State in order to provide the opportunity for such local educational agency to comply with the requirements of subsections (a) and (b).

''(3) REQUIREMENT TO PROVIDE TEACHER OPPORTUNITY PAYMENTS.—A local educational agency that has been put on notice by the State pursuant to paragraph (1) during any 2 consecutive fiscal years shall expend under section 2034 for the succeeding fiscal year a proportion of the amount made available to the agency under this subpart equal to the proportion of such amount expended by the agency on professional development for the second fiscal year in which it was put on notice.

''SEC. 2034. TEACHER OPPORTUNITY PAYMENTS.

''(a) IN GENERAL.—A local educational agency receiving funds under this subpart may (or, in the case of a local educational agency described in section 2033(c)(3), shall) provide funds directly to a teacher or a group of teachers seeking opportunities to participate in a professional development activity of their choice.

''(b) NOTICE TO TEACHERS.—Local educational agencies distributing funds under this section shall establish and implement a timely process through which proper notice of availability of funds will be given to all teachers within schools identified by the agency and shall develop a process whereby teachers will be specifically recommended by principals to participate in such program by virtue of—

''(1) their lack of full certification to teach in the subject or subjects in which they teach; or

''(2) their need for additional assistance to ensure that their students make progress toward meeting challenging State content standards and student performance standards.

''(c) SELECTION OF TEACHERS.—In the event adequate funding is not available to provide payments under this section to all teachers seeking such assistance, or identified as needing such assistance pursuant to subsection (b), a local educational agency shall establish procedures for selecting teachers which provide a priority for those teachers described in paragraph (1) or (2) of subsection (b).

''(d) ELIGIBLE PROGRAM.—Teachers receiving a payment under this section shall have the choice of attending any professional development program that meets the criteria set forth in subsection (a) or (b) of section 2033.

''Subpart 4—National Activities

''SEC. 2041. ALTERNATIVE ROUTES TO TEACHING.

''(a) TEACHER EXCELLENCE ACADEMIES.—

''(1) IN GENERAL.—The Secretary may award grants on a competitive basis to eligible consortia to carry out activities described in this subsection.

''(2) USE OF FUNDS.—

''(A) IN GENERAL.—An eligible consortium receiving funds under this subsection shall use the funds to pay the costs associated with the establishment or expansion of a teacher academy in an elementary or secondary school facility that carries out the activities promoting alternative routes to State teacher certification specified in subparagraph (B), the model professional development activities specified in subparagraph (C), or all such activities.

''(B) PROMOTING ALTERNATIVE ROUTES TO TEACHER CERTIFICATION.—The activities promoting alternative routes to State teacher certification specified in this subparagraph are the design and implementation of a course of study and activities providing an alternative route to State teacher certification that—

''(i) provide opportunities to highly qualified individuals with a baccalaureate degree, including mid-career professionals from other occupations, paraprofessionals, former military personnel, and recent college or university graduates with records of academic distinction;

''(ii) provide stipends, for not more than 2 years, to permit individuals described in clause (i) to participate as student teachers able to fill teaching needs in academic subjects in which there is a demonstrated shortage of teachers;

''(iii) provide for the recruitment and hiring of master teachers to mentor and train student teachers within such academies; and

''(iv) include a reasonable service requirement for individuals completing the alternative certification program established by the consortium.

''(C) MODEL PROFESSIONAL DEVELOPMENT.—The model professional development activities specified in this subparagraph are activities providing ongoing professional development opportunities for teachers, such as—

''(i) innovative programs and model curricula in the area of professional development which may serve as models to be disseminated to other schools and local educational agencies; and

''(ii) developing innovative techniques for evaluating the effectiveness of professional development programs.

''(3) PRIORITY.—The Secretary shall award not less than 1 grant to a consortium that—

''(A) includes a high-need local educational agency located in a rural area; and

''(B) proposes the extensive use of distance learning in order to provide the applicable course work to student teachers.

''(4) SPECIAL RULE.—No single participant in an eligible consortium may retain more than 50 percent of the funds made available to the consortium under this subsection.

''(5) APPLICATION.—To be eligible to receive a grant under this subsection, an eligible consortium shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(6) ELIGIBLE CONSORTIUM.—In this subsection, the term 'eligible consortium' means a consortium for a State that—

''(A) shall include—

''(i) the State agency responsible for certifying teachers;

''(ii) not less than 1 high-need local educational agency;

''(iii) a school of arts and sciences; and

''(iv) an institution that prepares teachers; and

''(B) may include local educational agencies, public charter schools, public or private elementary or secondary schools, educational service agencies, public or private nonprofit educational organizations, museums, or businesses.

''(b) CONTINUATION OF TROOPS-TO-TEACHERS PROGRAM.—

''(1) PURPOSE.—It is the purpose of this subsection to authorize the continuation after September 30, 1999, of the teachers and teachers' aide placement program known as the 'troops-to-teachers program', which was established by the Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard, under section 1151 of title 10, United States Code.

''(2) TRANSFER OF FUNDS TO CONTINUE PROGRAM.—Subject to the requirements of this subsection, the Secretary of Education may provide a transfer of funds to the Defense Activity for Non-Traditional Education Support of the Department of Defense to permit the Defense Activity to carry out the troops-to-teachers program under section 1151 of title 10, United States Code, notwithstanding the termination date specified in subsection (c)(1)(A) of such section.

''(3) DEFENSE AND COAST GUARD CONTRIBUTION.—The Secretary of Education may not make a transfer of funds under paragraph (2) unless the Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard, agree to cover not less than 25 percent of the costs associated with the activities conducted under the troops-to-teachers program. The contributions may be in the form of in-kind contributions or cash expenditures, which may include the use of private contributions made for purposes of the program.

''(4) ELIGIBLE MEMBERS.—After September 30, 1999, the troops-to-teachers program shall have a primary focus of recruiting members of the Armed Forces who are retiring after not less than 20 years of active duty.

''(5) PLACEMENT PRIORITY.—The Defense Activity for Non-Traditional Education Support shall cooperate with the Department of Education in efforts to notify high-need local educational agencies of the services available to them under the troops-to-teachers program.

"SEC. 2042. EISENHOWER NATIONAL CLEARINGHOUSE FOR MATHEMATICS AND SCIENCE EDUCATION.

''The Secretary may award a grant or contract, in consultation with the Director of the National Science Foundation, to continue the Eisenhower National Clearinghouse for Mathematics and Science Education.

"Subpart 5—Funding

"SEC. 2051. AUTHORIZATION OF APPROPRIATIONS.

''(a) FISCAL YEAR 2000.—For the purpose of carrying out this part, there are authorized to be appropriated $2,019,000,000 for fiscal year 2000, of which $15,000,000 are authorized to be appropriated to carry out subpart 4.

''(b) OTHER FISCAL YEARS.—For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal years 2001 through 2004.

"Subpart 6—General Provisions

"SEC. 2061. DEFINITIONS.

''For purposes of this part—

''(1) ARTS AND SCIENCES.—The term 'arts and sciences' means—

''(A) when referring to an organizational unit of an institution of higher education, any academic unit that offers 1 or more academic majors in disciplines or content areas corresponding to the academic subject matter areas in which teachers provide instruction; and

''(B) when referring to a specific academic subject matter area, the disciplines or content areas in which academic majors are offered by the arts and sciences organizational unit.

''(2) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—The term 'high-need local educational agency' means a local educational agency that serves an elementary school or secondary school located in an area in which there is—

''(A) a high percentage of individuals from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)));

''(B) a high percentage of secondary school teachers not teaching in the content area in which the teachers were trained to teach; or

''(C) a high teacher turnover rate.

''(3) OUT-OF-FIELD TEACHER.—The term 'out-of-field teacher' means a teacher—

''(A) teaching a subject for which he or she is not fully qualified, as determined by the State; or

''(B) who did not receive a degree from an institution of higher education with a major or minor in the field in which he or she teaches.

''(4) SCIENTIFICALLY BASED RESEARCH.—The term 'scientifically based research'—

''(A) means the application of rigorous, systematic, and objective procedures to obtain valid knowledge relevant to professional development of teachers; and

''(B) shall include research that—

''(i) employs systematic, empirical methods that draw on observation or experiment;

''(ii) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;

''(iii) relies on measurements or observational methods that provide valid data across evaluators and observers and across multiple measurements and observations; and

''(iv) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review.''.

(b) CONFORMING AMENDMENTS.—

(1) NATIONAL WRITING PROJECT.—Section 10992(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8332(i)) is amended by striking ''$4,000,000'' and inserting ''such sums as may be necessary''.

(2) REFERENCE TO NATIONAL CLEARINGHOUSE FOR MATHEMATICS AND SCIENCE EDUCATION.—Section 13302(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8672(1)) is amended by striking ''2102(b)'' and inserting ''2042''.

SEC. 3. AMENDMENTS RELATING TO READING EXCELLENCE ACT.

(a) REPEAL OF PART B.—Part B of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6641–6651) is repealed.

(b) READING EXCELLENCE ACT.—

(1) PART HEADING.—Part C of title II of such Act is redesignated as part B and the heading for such part B is amended to read as follows:

"PART B—READING EXCELLENCE ACT".

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2260(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6661i) is amended by adding at the end the following:

''(3) FISCAL YEARS 2001 TO 2004.—There are authorized to be appropriated to carry out this part $260,000,000 for fiscal year 2001 and such sums as may be necessary for fiscal years 2002 through 2004.''.

SEC. 4. GENERAL PROVISIONS.

(a) IN GENERAL.—Title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) is amended—

(1) by repealing part D;

(2) by redesignating part E as part C; and

(3) by striking sections 2401 and 2402 and inserting the following:

"SEC. 2401. PROHIBITION ON MANDATORY NATIONAL CERTIFICATION OF TEACHERS.

''(a) PROHIBITION ON MANDATORY TESTING OR CERTIFICATION.—Notwithstanding any other provision of law, the Secretary is prohibited from using Federal funds to plan, develop, implement, or administer any mandatory national teacher test or certification.

''(b) PROHIBITION ON WITHHOLDING FUNDS.—The Secretary is prohibited from withholding funds from any State or local educational agency if such State or local educational agency fails to adopt a specific method of teacher certification.

"SEC. 2402. PROVISIONS RELATED TO PRIVATE SCHOOLS.

''The provisions of sections 14503 through 14506 apply to programs under this title.

"SEC. 2403. HOME SCHOOLS.

''Nothing in this title shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law. This section shall not be construed to bar private, religious, or home schools from participation in programs or services under this title.''.

(b) CONFORMING AMENDMENTS.—

(1) DEFINITION OF COVERED PROGRAM.—Section 14101(10)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801(10)(C)) is amended by striking ''(other than section 2103 and part D)''.

(2) PRIVATE SCHOOL PARTICIPATION.—Section 14503(b)(1)(B) (20 U.S.C. 8893(b)(1)(B)) of such Act is amended by striking ''(other than section 2103 and part D of such title)''.

The CHAIRMAN. No amendment to that amendment shall be in order except those printed in House report 106–240. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, debatable for the time specified in the report, 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.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

It is now in order to consider Amendment No. 1 printed in the House report 106–240.

AMENDMENT NO. 1 OFFERED BY MR. GOODLING

Mr. GOODLING. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. GOODLING:

Page 4, after line 25, insert the following:

''(ii) NONPARTICIPATING STATES.—In the case of a State that did not receive any funds for fiscal year 1999 under one or more of the provisions referred to in subclauses (I) through (III) of clause (i), the amount allotted to the State under such clause shall be the total amount that the State would have received for fiscal year 1999 if it had elected to participate in all of the programs for which it was eligible under each of the provisions referred to in such subclauses.

Page 5, line 1, strike '''(ii)'' and insert '''(iii)''.

Page 7, strike lines 11 through 21 and insert the following:

if the State agrees to expend at least 95 percent of the amount of the funds provided under the grant for the purpose of making, in accordance with this part, subgrants to local educational agencies under subpart 3 and subgrants to eligible partnerships under subpart 2.

Page 7, line 24, strike ''3'' and insert ''5''.

Page 8, beginning on line 6, strike ''SUBGRANTS'' and all that follows through the end of line 7 and insert ''SUBGRANTS.—''.

Page 8, beginning on line 9, strike ''Except'' and all that follows through ''a'' on line 10 and insert ''A''.

Page 8, line 12, strike ''(b)(1)(A)'' and insert ''(b)(1)''.

Page 9, strike lines 10 through 13 and insert the following:

''(B) MINIMUM AMOUNT.—

''(i) IN GENERAL.—For any fiscal year for which a local educational agency would receive under subparagraph (A) an amount that is less than the total amount that the agency received for fiscal year 1999 under—

''(I) section 2203(1)(B) of this Act (as in effect on the day before the date of the enactment of the Teacher Empowerment Act); and

''(II) section 307 of the Department of Education Appropriations Act, 1999;

a State receiving a grant under this subpart shall ensure that the local educational agency receives under this paragraph an amount equal to such total amount.

''(ii) SOURCE OF FUNDS.—Notwithstanding paragraph (2), a State shall use such portion of the funds described in paragraph (2)(A) as may be necessary to pay to a local educational agency the difference between the agency's allotment under subparagraph (A) and the allotment to the agency required under clause (i).

Page 9, line 15, strike ''A State'' and insert ''Subject to subparagraph (C), a State''.

Page 9, line 18, strike ''(b)(1)(A)'' and insert ''(b)(1) (or such portion of such amount as remains after satisfaction of the requirements in subparagraphs (A) and (B)(ii) of paragraph (1))''.

Page 9, line 25, strike ''high-need''.

Page 10, after line 2, insert the following:

''(C) SUBGRANTS TO ELIGIBLE PARTNERSHIPS.—A State receiving a grant under this subpart shall expend at least 3 percent of the amount described in subparagraph (A) for the purpose of making subgrants to eligible partnerships under subpart 2.

Page 10, line 20, strike ''teachers'' and insert ''teachers, especially in the areas of mathematics and science,''.

Beginning on page 12, strike line 9 through page 13, line 8, and insert the following:

''(f) PUBLIC ACCOUNTABILITY.—

''(1) IN GENERAL.—A State that receives a grant under this subpart—

''(A) in the event the State provides public State report cards on education, shall include in such report cards information on the State's progress with respect to—

''(i) subject to paragraph (2), improving student academic achievement, as defined by the State;

''(ii) closing academic achievement gaps, as defined by the State, between the groups described in paragraph (2)(A)(i);

''(iii) increasing the percentage of classes in core academic areas taught by fully qualified teachers; and

''(iv) reducing class size; or

''(B) in the event the State provides no such report card, shall publicly report the information described in subparagraph (A) through other means.

''(2) DISAGGREGATED DATA.—The information described in paragraph (1)(A)(i) and section 2013(b)(3)((A) shall be—

''(A) disaggregated—

''(i) by minority and non-minority status and by low-income and non-low-income status; and

''(ii) using assessments consistent with section 1111(b)(3); and

''(B) publicly reported in the form of disaggregated data only when such data are statistically sound.

Beginning on page 13, strike line 22 through page 14, line 13, and insert the following:

''(2) A plan to ensure all teachers within the State are fully qualified not later than December 31, 2003.

''(3) An assurance that the State will require each local educational agency and school receiving funds under this title to publicly report their annual progress on the agency's and the school's performance indicators in the following:

''(A) Subject to section 2012(f)(2), improving student academic achievement, as defined by the State.

''(B) Closing academic achievement gaps, as defined by the State, between the groups described in section 2012(f)(2)(A)(i).

''(C) Increasing the percentage of classes in core academic areas taught by fully qualified teachers.

''(4) A description of how the State will hold local educational agencies and schools accountable for making annual gains in meeting the performance indicators described in paragraph (3).

Page 14, line 14, strike '''(4)'' and insert '''(5)''.

Page 15, line 5, strike '''(5)'' and insert '''(6)''.

Page 15, line 20, strike ''2012(b)(1)(B),'' and insert ''2012(c)(2)(C),''.

Page 16, line 2, strike ''State.'' and insert ''State. Not more than 5 percent of the amount made available to an agency to carry out this subpart may be used for planning and administration.''.

Page 18, line 4, strike ''provided to'' and insert ''expended by''.

Page 20, line 16, strike ''certified'' and insert ''fully qualified''.

Page 20, line 17, strike ''certified'' and insert ''fully qualified''.

Page 22, line 12, before ''teachers'' insert ''fully qualified''.

Page 22, line 17, strike ''certification;'' and insert ''certification, especially in the areas of mathematics and science;''.

Page 25, beginning on line 16, strike ''highest proportion of out-of-field teachers;'' and insert ''lowest proportion of fully qualified teachers;''.

Page 27, line 24, strike ''2013(b)(2);'' and insert ''2013(b)(3);''.

Page 28, line 21, strike the period at the end and insert ''and, with respect to any professional development program described in subparagraphs (F) and (G) of section 2031(b)(3), shall, if appropriate, be developed with extensive coordination with, and participation of, professionals with expertise in such types of professional development.''.

Page 30, line 10, strike ''lack of full certification'' and insert ''not being fully qualified''.

Page 34, line 23, strike ''1999,'' and insert ''2000,''.

Beginning on page 35, strike line 24 through page 36, line 9.

Page 36, after line 15, insert the following:

''SEC. 2043. PROFESSIONAL DEVELOPMENT FOR PRINCIPALS AS LEADERS OF SCHOOL REFORM.

''(a) COMPETITIVE GRANTS.—The Secretary shall award grants on a competitive basis to eligible partnerships—

''(1) consisting of—

''(A) one or more institutions of higher education that provide professional development for principals and other school administrators; and

''(B) one or more local educational agencies; and

''(2) that may include other entities, agencies, or organizations, such as a State educational agency, a State agency for higher education, educational service agencies, or professional organizations of principals and teachers.

''(b) APPLICATION.—

''(1) IN GENERAL.—Any eligible partnership that desires to receive a grant under this section shall submit an application at such time, in such manner, and containing such information as the Secretary may require.

''(2) CONTENTS.—Each such application shall include a description of—

''(A) the activities the partnership will carry out to achieve the purpose of this section;

''(B) how those activities will build on, and be coordinated with, other professional development programs and activities, including activities under title I of this Act and title II of the Higher Education Act of 1965; and

''(C) how principals, teachers, and other interested individuals were involved in developing the application and will be involved in planning and carrying out activities under this section.

''(c) USE OF FUNDS.—An eligible partnership that receives a grant under this section shall use the grant funds to provide professional development to principals and other school administrators to enable them to be effective school leaders and prepare all students to achieve to challenging State content and student performance standards, including professional development relating to—

''(1) leadership skills;

''(2) recruitment, assignment, retention, and evaluation of teachers and other staff;

''(3) effective instructional practices, including the use of technology;

''(4) using smaller classes effectively; and

''(5) parental and community involvement.

Page 37, after line 15, insert the following:

''(2) FULLY QUALIFIED.—The term 'fully qualified'—

''(A) when used with respect to a public elementary or secondary school teacher (other than a teacher teaching in a public charter school), means that the teacher has obtained State certification as a teacher (including certification obtained through alternative routes to certification) or passed the State teacher licensing exam and holds a license to teach in such State; and

''(B) when used with respect to —

''(i) an elementary school teacher, means that the teacher holds a bachelor's degree and demonstrates knowledge and teaching skills in reading, writing, mathematics, science, and other areas of the elementary school curriculum; or

''(ii) a middle or secondary school teacher, means that the teacher holds a bachelor's degree and demonstrates a high level of competency in all subject areas in which he or she teaches through—

''(I) a high level of performance on a rigorous State or local academic subject areas test; or

''(II) completion of an academic major in each of the subject areas in which he or she provides instruction.

Page 37, line 16, strike '''(2)'' and insert '''(3)''.

Page 38, strike lines 5 through 12 and insert the following:

''(4) PUBLICLY REPORT.—The term 'publicly report', when used with respect to the dissemination of information, means that the information is made widely available to the public, including parents and students, through such means as the Internet and major print and broadcast media outlets.

Page 38, line 13, strike '''(4)'' and insert '''(5)''.

Page 39, strike lines 13 through 17 and insert the following:

(1) NATIONAL WRITING PROJECT.—Section 10992(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8332(i)) is amended to read as follows:

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the grant to the National Writing Project, such sums as may be necessary for each of fiscal years 2000 through 2004 to carry out the provisions of this section.''.

Mr. CLAY. Mr. Chairman, although I am not opposed to the amendment, I ask unanimous consent to claim the time in opposition.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. Pursuant to House Resolution 253, the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from Missouri (Mr. CLAY) each will control 15 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, the Teacher Empowerment Act will provide a major boost to schools in their efforts to establish and support a high quality teaching force, and that should be the whole emphasis of the debate. How do we get a high-quality teaching force? The amendment strengthens the bipartisan committee-passed version, and I believe will only further our ability to pass this today in an overwhelming bipartisan fashion.

First, we have addressed the important issue of funding at the local level. We have heard people say over and over again, we are going to lose money, we are going to lose money; no one loses money. In my manager's amendment, they have the opportunity of taking existing amounts that they receive, or going to the 50–50 formula. So no one loses.

So we can stop that argument right away. No one loses. We do not lose any from poverty schools, we do not lose any from inner city, we do not lose any anywhere, unless for some reason or other we pass some kind of budget that reduces spending and then, of course, on these programs, then we would lose. Specifically, the amendment includes provisions which will enable each local educational agency to receive the higher of the funds they received in fiscal year 1999 or under the new formula. No one loses money. The additional funds to make up the difference come from the competitive grants from the State.

In addition, we have strengthened the accountability provisions, and I thank the gentleman from California (Mr. MILLER) for that. We did a good job initially, and his efforts have only made it even better.

Now, contrast that to what is happening today. Every grant that has gone out has no quality attached to it whatsoever. And, of course, the end result is one does not have to be certified or qualified, one just has to be breathing. I have not heard the President say that, but I suppose one does in order to qualify for one of these new jobs.

In ours, with the help of the gentleman from California (Mr. MILLER), all teachers are qualified by the year 2003. Again, I would say that we have to concentrate primarily on how do we provide a quality teacher in every classroom for every child throughout this country. That should be our number one goal, and when we complete this legislation, we will be on the right path to make sure that that happens, and do not keep arguing that we know it all here. I have been in both places. There is room for improvement in both places. But I will guarantee my colleagues, most of what I got when I was there did not make sense in relationship to the local district that I was trying to supervise.

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

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

I support this Goodling amendment because it corrects some of the major flaws contained in the reported bill. But to fix the rest of this flawed bill we must vote to support the Martinez substitute.

Mr. Chairman, at this time I will insert my remarks in support of my position into the RECORD.

Mr. Chairman, I support this Goodling amendment because it corrects some of the major flaws contained in the reported bill, to fix the rest of this flawed bill, we must vote to support this Martinez substitute.

This amendment contains the Miller accountability provisions contained in the Martinez Democratic substitute. These provisions ensure there will be a qualified teacher in every classroom—and that the Congress receive comprehensive information about teacher quality and student achievement. The reported bill amounted to a black check to States to spend for teacher related purposes, with virtually no accountability.

The Miller amendment is designed to hold States and school districts accountable for Federal funds.

This amendment also makes some short term improvements in the targeting of funds to the poorest school districts. Currently, funds for class size reduction are distributed by formula, targeted at areas of greatest need. The reported bill slashed millions of dollars in funding to poor urban and rural areas in order to benefit wealthy suburbs. This amendment adopts a ''hold harmless'' to school districts for this year, so that no school district will lose funds next year. Unfortunately, this amendment does not target new funding to needy areas; The Martinez substitute continues targeting, and also makes substantial new investment for class size reduction and teacher training.

Finally, this amendment includes another Democratic amendment proposed by Representative KIND creating a new grant program for improving professional development for principals. This too is included in the Martinez substitute.

While I support the half measures contained in this amendment—to do the job right we must support the Martinez amendment later that not only includes all these provisions, but restores the Clinton Clay class size reduction program, and makes substantial new investments in teacher training.

Mr. CLAY. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Chairman, I thank the gentleman from Missouri (Mr. CLAY), the ranking member, for yielding to me.

I rise today in support of the Goodling amendment. I think many of the provisions that are included in this amendment make a good bill even better. Many of the provisions that are in the manager's amendment were actually contained in the Martinez substitute during committee debate, one that I was happy to support and I will support again today. I especially like those provisions that deal with the hold harmless with funding for the States, the public accountability which requires a report to the community and to the parents in regards to the progress of educational improvement contained in the bill, and the quality language that is now contained in the manager's mark, something that the gentleman from California (Mr. MILLER) has been striving and pushing for for many, many months during the course of the evolution of this bill.

I want to just take a moment to thank both the ranking member on the subcommittee, the gentleman from California (Mr. MARTINEZ) as well as the chairman of the subcommittee, the gentleman from California (Mr. MCKEON), and the chairman of the full committee, the gentleman from Pennsylvania (Mr. GOODLING) for the full cooperation and the support that I have received in regards to a provision that I feel is incredibly important to the overall integrity of this bill. That is the recognition that not only should this legislation be striving to improve the quality of teacher training and the quality of teachers in the classroom, but also recognizes the particular importance that principals, administrators and superintendents have in improving the quality of education for our children.

We all recognize that it is tough for a football team to make it to the Super Bowl without a good quarterback—the same is true in the public school system. If we do not have quality principals, quality administrators or superintendents of the school districts who recognize the need for reform in the school district and can provide the crucial leadership, it is going to be very hard to get the teachers and the parents in the community to buy into the programs that are vitally necessary to make those changes.

That is why I have worked on drafting an amendment at the committee level that has now been accepted in the chair's amendment that recognizes the particular challenge that we face in regards to principals and administrators across the country.

The language that I have drafted is designed to specifically identify the needs of principals and administrators and superintendents as leaders in the education at schools, and recognize that these people as individual leaders of the school do not have a peer network, so professional development programs should create such networks. It also provides a competitive grant to the partnership to provide professional development to principals and other school administrators to enable them to be effective school leaders and prepare students to achieve challenging performance standards.

The partnerships are to be made of an institution of higher education which provides professional development to principals and administrators, along with one or more school districts or schools, and any other entity, agency or organization such as the State Department of Education and professional associations.

Mr. Chairman, this came out of recognition and feedback that I received from people back in my congressional district in western Wisconsin. I have witnessed that some school districts go through 2 or 3 different interviewing rounds just to find a good, qualified principal for a vacancy, or a good, qualified superintendent. As I spoke to many of the superintendents and principals around the school districts, they felt the need for this amendment.

I want to again express my appreciation to the chair of the subcommittee and to the chair of the full committee as well as the leadership on the democratic side for the recognition of this provision contained in the bill.

Furthermore, Mr. Chairman, this bill addresses a very real and serious issue. As a member of the Education and Workforce Committee, I have been struck by the sincere concern expressed by education professionals and leaders nationwide regarding a pending crisis in the quality of education in America.

A common theme we heard during committee hearings is that the nation is on the verge of a serious shortage of teachers—a shortage already experienced in some areas—generally due to baby-boomer retirements. Further, many states have been hiring teachers on an emergency basis, so that while classrooms may have new instructors, the level of quality may differ dramatically school-to-school and district-to-district.

The Committee, Democrats and Republicans alike, have worked hard to address this problem by encouraging professional development and high standards in hiring, training, and retaining well-qualified teachers. Witnesses and studies testify to the fact that teachers are far more confident in the classroom when they receive good, ongoing professional development opportunities.

I must admit, I have not been enthusiastic about the Chairman's decision to split the Elementary and Secondary Education Act, or ESEA, into it's component titles for separate votes on the House floor. I am encouraged, however, by the commitment Mr. MCKEON has made to professional development through his work in drafting this title. Congress must be willing to support all aspects of education, including professional development, if we all are as serious as we say we are about the issue. The bill goes a long way to assist states and school districts to hire and train high quality teachers and administrators, with a focus on standards and achievement.

CLASS SIZE

I'm pleased to see that Mr. MCKEON recognizes the success that class size reduction programs have had nationwide, and decided to include class size reduction as a priority in this bill. In my home state of Wisconsin, the Student Achievement Guarantee in Education program, or SAGE, has been very effective in improving scores for students in high-need schools. The program focuses on class size reduction, but also incorporates challenging curriculum, extended hours, staff development, and professional accountability into its package. This targeted yet comprehensive approach works in Wisconsin, and will likely be expanded in scope in the coming years.

Wisconsin is not alone in working to reduce class size in order to improve student scores. In Tennessee, the STAR and Challenge projects have produced good data indicating a general educational advantage for students in smaller classes. Similar programs in North Carolina, Indiana, Texas, Nevada and Virginia, as well as initiatives either started or planned in at least 20 other states offer a great deal of optimism that a focus on reducing class size will help students, particularly those in areas of higher need, achieve greater performance goals and standards.

PRINCIPAL AND ADMINISTRATOR TRAINING

As part of the goal of comprehensive education reform, I found an element of traditional professional development to be particularly lacking and on which I have already spoken. While we all have come to recognize the need for better professional development opportunities for teachers in order to recruit them, retain them, and keep them effective in the classroom, we were overlooking key players in the school environment—the principal, the superintendent, and other administrators having an impact on the instruction of our children.

Principals and administrators take a vital leadership role in educating our children. I have been told time and again from teachers, administrators, school boards and parents, that if a principal or superintendent is not up to speed on current and successful educational trends, the local educational system will weaken. Likewise, a well prepared and highly trained principal or superintendent will engage and challenge his or her staff and inspire greatness throughout the school and the surrounding community.

But, like the teaching profession, there are not enough qualified principals and administrators in the field, and the situation will worsen as these folks retire in the coming years. A telling sign of danger is the fact that the average tenure for a district superintendent is now three years or less.

It is obvious to me that we need to address this issue now, in this bill, as part of a comprehensive approach to professional development and training for educational professionals, regardless of their position in the school. Mr. GOODLING's amendment does just that, through the creation of a competitive grant specifically designed to address the professional development of principals and other school administrators.

I submitted this section because while current law and the chairman's mark may allow states and local districts to consider principal and administrator training programs, neither actually identifies these educational leaders as having specialized, significant needs in order to maintain ''building-wide'' professionalism.

By addressing the special needs of these professionals, and providing a setting where principals and administrator—who have no direct peer-group surrounding them daily—can meet other professionals, learn together and from each other, and then go back to their schools to work with their teachers and other staff to provide quality educational services.

CONCLUSION

Mr. Chairman, the underlying bill does go a long way in helping our schools attract and retain quality teachers, principals and administrators. This amendment takes the measure a big step further by focusing on quality and accountability. I support this amendment and the bill, and am glad to see that Congress can help our schools strengthen their educational systems by hiring and maintaining the highest-quality instructional force possible.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER) who has been very helpful in trying to get us answers to the question: what have the taxpayers, what have the children got for the money we have spent.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Chairman, I am still waiting on the answer.

Mr. Chairman, every Member of the House ought to support the Goodling amendment, because it does, in fact, dramatically strengthen the legislation that we had in committee. It does provide for increases in accountability and improvements in teacher quality items within the legislation. I think it is a very important amendment, because it embodies what all of us have been saying on both sides of the aisle, that questions of simple class size are not enough; that it is not enough that students spend either more hours with or there is fewer students with an unqualified teacher. What we must put in the front of the classroom are qualified teachers.

This legislation with the Goodling amendments, for the first time, demands that local school districts put qualified teachers into the classroom. It demands, for the first time, that we hold school districts accountable, which is the basic purpose of this legislation, and EFCA and that is, in fact, that we close the gap between rich and poor, between minority and majority in this country, and that we hold districts accountable for doing that.

Up until the time that this amendment is offered and up until the time that this legislation is passed, we have put $120 billion into this program. As the gentleman from Pennsylvania (Mr. GOODLING) has reminded us time and time again, that money has been sent out, and we never asked, we never asked that the teachers in the classroom be qualified. We said one of the purposes was to close the gap between majority and minority students, but nobody was ever held accountable for it.

What we now know and what we have witnessed now over many, many years is that poor and the minorities continue to be held back in this educational system because they do not have qualified teachers and the majority races ahead. We also know from years of research and understanding of how children learn that all of those poor children and all of those minority children can, in fact, learn at the same rate and with the same degree as children in suburban schools, middle class schools, or upper income schools if we do two things.

If we reduce class sizes, and we put well-qualified teachers and a first class curriculum in front of those children, they will learn and they will learn at the same rate. We need not accept those losses.

The Goodling amendment is the first step to doing this, and every Member of this House ought to support this amendment. I will be supporting the Martinez substitute because of the targeting provisions, but we will talk about that later.

Mr. CLAY. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. SANCHEZ).

(Ms. SANCHEZ asked and was given permission to revise and extend her remarks.)

Ms. SANCHEZ. Mr. Chairman, I rise today in opposition to H.R. 1995, the Teacher Empowerment Act, because even though it is titled that, it is really not a bill for teachers and it is not a good bill for students and it is not a good bill for our schools. The bill cuts the class size reduction program. This House voted for class size reduction last year; we supported it from both sides of the aisle and we funded it. And we made a promise to our schools, to our children, to our parents, to our communities that we would make sure that they had small classes where they could learn. If we pass this bill, we will take back that promise.

Now, some have mentioned, my good chairman of the committee, the California experience. Well, I have a California experience. It is called Orange County, California where I represent. After having gone to over 90 different schools, the reality is that the one comment I get most often from teachers in the first or second or third grade where we have reduced class size is what a difference this class size is making.

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Their children are learning, and we begin to see it now in the scores as they begin to appear in California. We need to continue our class size reduction, and we should allow it to go nationwide.

The PTA does not like the Republicans' bill, our national teacher organizations do not like the bill, the school boards do not like the Republican bill, Governors do not even like this bill. About the only people who do like the bill are the Republicans.

We do have a choice. We can vote for the Democratic bill. Our version supports class size reduction and professional development, so that we make sure that we have smaller classes and qualified professionals in the classroom. Our version lets States and school districts decide how to spend classes and teacher training money. It puts the funding in the hands of the people who know what local schools need.

Mr. Chairman, I urge my colleagues to reject H.R. 1995 without the Democratic substitute.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. EHLERS), an important member of the committee.

Mr. EHLERS. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I would like to engage in a colloquy with the gentleman from California (Mr. MCKEON) and the gentleman from New Jersey (Mr. HOLT).

I would say to the gentleman from California, it is my understanding that the en bloc amendment being offered today makes modifications to the committee-reported bill in which local educational agencies would have been required to expend the same amount of funds on math and science as they were required to spend under the consolidated Eisenhower Special Development Program.

Under the Eisenhower program, localities had to spend their portion of the first $250 million of funds appropriated under this program for math and science. I understand the gentleman's amendment increases this amount.

Mr. MCKEON. Mr. Chairman, will the gentleman yield?

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

Mr. MCKEON. Mr. Chairman, that is correct. I would like to thank the gentleman from Michigan (Mr. EHLERS), who was placed on this committee by the last Speaker and the current Speaker by special assignment because of his background in the area of science, that he would really do all he could to see that we improved education in math and science, and he has done a great job to that end. I want to commend him for that at this time.

In response to concerns raised by both the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from New Jersey (Mr. HOLT), who has worked with the gentleman to this end, a Member from the other side, a provision was added to the en bloc amendment to ensure that local schools will continue to expend the same amount of funds as they actually spent on math and science, as opposed to what they were required to spend under the Eisenhower program.

It was understood, based on initial information from the Department of Education, that this amount of funds represents roughly $300 to $335 million appropriated for this program. However, the flexibility under the committee-reported version of TEA, Teacher Empowerment Act, has been maintained, providing local educational agencies the ability to seek a waiver from their State if they are able to demonstrate that their math and science needs are being met.

Mr. HOLT. Mr. Chairman, will the gentleman yield?

Mr. EHLERS. I yield to the gentleman from New Jersey.

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

Mr. HOLT. I thank my colleagues from Michigan and California, and recognizing the difficulty that we have had in obtaining good data that the local educational agencies are in fact spending the $300 million that we had understood is being spent, we want to make sure that this legislation results in maintaining an approximate level of effort equal to that understood level.

Mr. Chairman, of all the important jobs in our society, nothing makes more of an impact on our children than a well-trained, caring and dedicated teacher. No job ultimately is more important to our society.

Teachers across our Nation are doing an outstanding job. As I travel around my central New Jersey district, I have met with hundreds of teachers who are working hard every day to prepare students to succeed in this ''new'' economy and it is not often easy.

I am proud that this Congress has come together in a bipartisan way to produce a bill which provides new opportunities and resources both for training teachers who are already in the classroom and to hire new teachers for our growing schools.

This is a strong bipartisan bill that will improve teacher quality and reduce class sizes across the country.

Across the nation, schools will have to hire more than 2 million new teachers over the next ten years simply to keep up with the retirement and departures of existing teachers. We must in addition hire additional teachers to reduce class sizes, especially in the early years. We have learned that class-size reduction, especially in the early years, is a significant factor for increased student achievement.

The Teacher Empowerment Act gives schools the flexibility to both improve teacher quality and reduce class-size.

My district in central New Jersey is undergoing unprecedented growth. Young families are moving into new houses, and school principals get phone calls daily from parents who are moving into the area.

In Montgomery Township, in 1990 their school enrollment was about 1,500 students. When they open for classes in September, Montgomery will have to provide seats for 3,500 students. This is an increase of 134% in 10 years. And enrollment is expected to rise another 1,500 students over the next five years.

As these areas construct new schools, they need to hire qualified new teachers. The Teacher Empowerment Act provides resources to help these growing school districts hire new teachers.

In addition, most of these 2 million new teachers to be hired in the next decade will have to teach math and science. All elementary school teachers teach math and science and often do not feel prepared to do so.

Math and science are classes which serve as gateways for our children to the opportunities of tomorrow. Yet schools are finding difficulty finding enough qualified teachers in these critical subjects.

I am pleased that we were able to work together to strengthen teacher training for math and science. This bill maintains funding that was provided under the Eisenhower Professional Development Program for math and science teacher training. It also says that if school districts want to use the math and science money for other uses, they must ensure that the training needs of all of their math and science teachers, including elementary school teachers, are met.

The Teacher Empowerment Act continues the priority previous Congresses have established to support teachers in the critical fields of math and science.

Teachers often perform miracles in the classrooms which too many of us take for granted. This bill provides the support and the smaller classes these teachers need to help our children perform miracles.

Mr. MCKEON. If the gentleman will continue to yield, Mr. Chairman, information recently provided to us by the Department of Education indicates that their incomplete records show the total amount actually expended by local school districts on math and science is less than $300 million.

Mr. EHLERS. In light of this information, Mr. Chairman, would the gentleman from California agree to explore ways in which to ensure that local districts maintain a strong focus on the needs of math and science programs, and continue to expend the approximately $300 million they were reported to have expended on these programs last year?

Mr. MCKEON. Mr. Chairman, if the gentleman will continue to yield, yes, I would be pleased to work with both gentlemen on this as this legislation moves forward.

Mr. CLAY. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, H.R. 1995 is a step forward, though far from perfect. We have come a long way since 1994, when colleagues here in the majority sought to eliminate the Department of Education and to seriously cut back on very important education programs, including such programs that were successful, like Head Start.

We have come a long way even since the beginning of the discussions and debates on this particular piece of legislation. Everybody agrees, Mr. Chairman, that we should be improving education for all children, whether they are wealthy or not, minority as well as nonminority children. Many of us have long complained for flexibility, but not flexibility that would leave out the aspect of accountability. Instead, we have insisted on just that, accountability.

The amendment of the gentleman from Pennsylvania (Mr. GOODLING) in fact puts that back in, an accounting of the performance and the results showing that the Federal money expended results in student achievement across the board for minority and nonminority, for rich as well as for poor.

The Congress in Ed-Flex failed to add that suitable accountability. In this bill we have achieved that, and we have included the provisions that are necessary for professional development. We are going to have a requirement that there would be a plan to ensure that all teachers within the State are fully qualified no later than December 31 of 2003. For the first time we have that in education language; that the use of the funds must improve student academic achievement, must close those achievement gaps, must use disaggregated material.

In other words, we must see that every group of children succeed, poor as well as rich, minority as well as nonminority, and we must have reports on that data.

Mr. Chairman, this is important progress, and of course we would prefer the Martinez bill because it has a separate stream of funding. But here there is accountability even without the separate stream of funding. In order to show the kind of progress that is necessary, we believe that the smaller class sizes are necessary, and that money is going to have to go to that end in order to reach accountability aspects and get the kind of improvement in achievement that is necessary.

We would like to see it tighter, but this is a significant move, and we congratulate the gentleman from Pennsylvania (Mr. GOODLING) for moving this in that direction.

We have in this bill professional development. We have a way to help teachers, not punish them or threaten them, but to help them and give them the support in their development. We have more teachers here, and it is going to be up to the appropriators to make sure a significant amount of funds are available so we can do the hiring of all the necessary teachers to decrease the size of classes, particularly in grades 1 through 3, as well as get the professional development there.

But first and foremost, Mr. Chairman, we have in this bill the accountability that is going to trigger and lead to smaller classroom sizes and good professional development. That is the way we are going to get better education for all children in this country.

I thank the gentleman from Pennsylvania (Mr. GOODLING) and the other members of the committee for their hard work on this bill.

Mr. GOODLING. Mr. Chairman, I yield 1½ minutes to the gentleman from Colorado (Mr. HEFLEY).

Mr. HEFLEY. Mr. Chairman, as Members know, I have been very interested in the Troops to Teachers program. I appreciate the chairman including that in the bill.

I would like to carry on a colloquy with my colleague, the gentleman from California (Mr. MCKEON). It is my understanding that language has been included as part of the Teacher Empowerment Act which will provide for the continuation of the Troops to Teachers program.

As Members know, I have been a supporter of this program, which was originally established to provide certain military personnel affected by the military drawdown with the opportunity to pursue a new career in public education.

Evaluations of this program have highlighted the quality of teachers provided through the program, the satisfaction of schools hiring these teachers, and the above average retention rates of these new teachers.

Mr. Chairman, I stand today to offer my support for H.R. 1995, the Teacher Empowerment Act. In particular, I am very pleased that the bill calls for the reauthorization of the Troops to Teachers program. My thanks for allowing the Troops to Teachers program to be included in this bill.

The Troops to Teachers program was created in 1994 to assist military personnel who were affected by military downsizing find second careers in which they could utilize their knowledge, professional skills and expertise in our nation's schools. The program offers counseling and assistance to help participants identify teacher certification programs and employment opportunities. As we all know, our schools and students are in desperate need of more high-quality teachers. The Troops to Teachers program helps provide those teachers.

Since its authorization, Troops to Teachers has helped over 3,000 active duty soldiers enter our nation's classrooms and make significant contributions to the lives of our students. These military personnel-turned-teachers have established a solid reputation as educators who bring unique real-world experiences to the classroom. They are dedicated, mature, and experienced individuals who have proven to be effective teachers, as well as excellent role models.

They are also helping fill a void felt in many public school districts. Over three-quarters of the Troops to Teachers participants are male, compared with about 25 percent in the overall

public school system, and over 30 percent of these teachers belong to a minority racial ethnic group. In addition, a large portion of these teachers are trained in math, science, and engineering, and about half elect to teach in inner city or rural schools. Overall, the retention of these teachers is much higher than the national average.

Not surprisingly, Troops to Teachers is winning glowing reviews from educational administrators, teachers and legislators. Education Secretary Richard Riley praised the program as a new model for recruiting high quality teachers. School principals and superintendents who have employed Troops to Teachers participants are overwhelmingly supportive of the program.

The authorization of this successful program is set to expire at the end of this year. However, the passage of the Teacher Empowerment Act will ensure that this successful program continues. I hope my House colleagues will join me in preserving this education success story by supporting the Teacher Empowerment Act.

Mr. McKEON. Mr. Chairman, will the gentleman yield?

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

Mr. McKEON. Mr. Chairman, that is correct. Under TEA, the Secretary of Education is authorized to use a portion of funds reserved at the national level to continue the Troops to Teachers program, which was originally established under the Department of Defense in January, 1994, as part of the Defense Authorization Act for fiscal year 1993 as a result of the gentleman's efforts.

Mr. HEFLEY. We have been working on this also through the Defense Department and the defense bill. It is my understanding that the language under TEA is consistent with language currently being considered as part of the fiscal year 2000 defense authorization bill. I would ask the gentleman, is that correct?

Mr. McKEON. Mr. Chairman, if the gentleman will continue to yield, that is also correct. The defense authorization bill includes language which, in addition to making minor changes to the current program, will continue the Troops to Teachers within the Department of Defense during the fiscal year 2000 while providing for the orderly transition of this program to the Department of Education beginning in fiscal year 2001.

The provisions under TEA reference back to the modifications of the program made under the defense bill, and will ensure that this program continues as part of the TEA program, beginning in fiscal year 2001.

I commend the gentleman from Colorado for his efforts in this area. He serves as its subcommittee chairman on the Committee on Armed Services, and has done an outstanding job in this area. I look forward to working with him as we move forward under this important program.

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Chairman, I thank the gentleman for yielding me the time.

I am pleased to see the Goodling amendment because it does in fact correct some of the flaws in this bill, but not enough. Therefore, I remain in opposition to the Teacher Empowerment Act and in support of the Martinez substitute.

We need to change our attitudes towards educating children, because children are indeed the future of this Nation. This bill kills the efforts to provide qualified teachers to classrooms, and gives it to States to do whatever they choose. Even a State like mine, where the funding for districts is uneven, there are districts in my State that receive less than one-third of what other districts receive for local funding. Therefore, I am afraid to trust them with these additional resources.

Reducing class size is probably the most effective thing we could ever do to provide a high quality education for all of our children, no matter where they are.

So, Mr. Chairman, while the Goodling amendment in and of itself does move us in the direction, I remain committed to the Martinez substitute, and urge that we vote for the Martinez substitute to this bill.

Mr. Chairman, I remain in opposition to the Teacher Empowerment Act and in support of the Martinez substitute. We must change our attitude towards educating our children. Over 95 percent of our Nation's children go to public schools. These children are our future Doctors, Lawyers, Senators and Presidents.

This bill kills the effort to provide qualified teachers to our children's classrooms and gives it to the states to do what ever they choose. Qualified teachers are far more effective in smaller classes than in larger ones. One of the bill's most serious defects is that it undermines the federal commitment to helping local communities reduce class size to 18 students by failing to ensure a separate, dedicated stream of funding, targeted to high-poverty communities.

Unlike the other side I understand the need for reduced class sizes. This is probably the most important thing that you have in the classroom. Having a teacher that is eager to teach, one that is eager to help students, one that makes you feel at ease is needed in order to make that light bulb go on and for a student to say, I want to learn.

The Martinez substitute gives back to the students their best opportunity to learn, therefore, I urge all Members to support of this substitute.

Mr. GOODLING. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. MCKEON), the subcommittee chair who has worked so hard to put this legislation together.

Mr. MCKEON. Mr. Chairman, I appreciate the gentleman yielding time to me.

Mr. Chairman, this has been an interesting process. We started this as a purely bipartisan bill. The gentleman from California (Mr. MARTINEZ) and I and members of the subcommittee held hearings. We really tried to learn what was really important.

We went out to schools. We heard from experts on the subject. They said it was very important to have class size reduction, but it is also very important to have qualified teachers. So what we have tried to do with this bill is establish a balance.

We were accused by some on the other side of making deals. I have to admit that we did. Whenever we found somebody on the other side that had something that made the bill better, we accepted it. I think that is what bipartisanship is. We cannot have it both ways. We cannot be accused of making deals, and that is a bad thing, and then at the same time if we do not make deals, we are partisan.

I think what we have done is something that we do not always have the opportunity of doing here. Once in a while we have the opportunity of doing what is right, and I think in this bill we have done what is right. Please support this bill, H.R. 1995.

Mr. KILDEE. Mr. Chairman, Chairmen GOODLING and MCKEON have made several improvements in this legislation that have addressed a number of concerns. Unfortunately, I will not be able to cast my vote for it today and instead will support the substitute being offered by my colleague from California, Mr. MARTINEZ, for several reasons.

First, despite the likely passage of Chairman GOODLING's managers amendment, which includes a school district holdharmless for fiscal year 1999, the bill will not target future funding to disadvantaged school districts. Some of the most pressing needs of disadvantaged areas in the areas of teacher quality, recruitment and retention are not reflected by the funding formula in this legislation.

Without distributing the resources provided by this legislation to the areas of most need, we are ignoring the true problems in our existing teacher training systems.

The lack of any direction in this legislation to continue the development of State standards and assessments is also a critical shortcoming. Since this program is intended to be the successor to Goals 2000, it should allow States to continue its mission to improve and reform State accountability systems.

In fact, a November 1998 GAO report on the Goals 2000 Program documented that its focus and direction on systemic reform has produced positive returns on its Federal investments and is widely supported by many of the local level.

Lastly, this bill does not recognize the need to identify class-size reduction as a national priority in our educational system.

Instead of authorizing the program we created in last year's appropriation's process, this bill removes the separate stream of funding for class-size reduction and makes it one of several strategies to be employed by school districts. Speaking from experience in my congressional district, both class size reduction in the early grades and a focus on teacher quality were necessary to improve student achievement in Flint, Michigan. This was accomplished with coordinated, but separate funding focuses on both class size and quality aspects.

The Federal legislation which we pass should reflect this winning combination.

Mr. Chairman, I urge opposition to the bill.

Mr. CLAY. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey (Mr. PAYNE).

The CHAIRMAN. The gentleman from New Jersey (Mr. PAYNE) is recognized for 4½ minutes.

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

Mr. PAYNE. Mr. Chairman, I, too, rise in support of the Goodling amendment. The Goodling amendment, which was the Democratic substitute in committee, which was not allowed to go through, but I am pleased at the wisdom of the gentleman from Pennsylvania (Mr. GOODLING) to revise this, so for that reason I do support the Goodling amendment.

Having said that, the Republican Teacher Empowerment Act of 1995 is simply another Republican attempt to pull the wool over America's eyes by giving a grossly inadequate piece of legislation a very deceiving title, as we have seen in many of the labor laws, such as the FAIR Act, the Act to have in working laws more time for people to have off, but it ends up with doing away with overtime.

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So we have seen these wonderful titles to bills, but what this act really does is that the Republican Teacher Empowerment Act threatens the future of the Clinton-Clay classroom reduction program by allowing funds to be diverted to other uses, even without even having to address the shameful overcrowding in classrooms.

I recall several books written by Jonathan Kocar, a person who talked about the inadequacy of education. He talked in one book of savage inequalities. In a second book called Children in Trouble: A National Tragedy, Jonathan Kocar talked about the inequity in funding and talked about the oversized classes in rural and urban areas and talked about the fact that property tax is the base for most education.

So, of course, if one is fortunate enough to be affluent, to live in an affluent city, to live in an affluent community, much more money goes towards education; but if one happens to live in a poor city that has no economic base, a city where industry has moved out, a city where it is difficult to attract in new businesses, then the young people in those communities lack an adequate education.

So the Federal Government has stepped in from time to time and said, let us make up for these inequities. As a result, we have large class sizes in urban areas because there is not the economic base to have equal class size and President Clinton said that each classroom, from kindergarten to grade 3, should have no more than 18 students in its classroom.

Well, this bill prevents the President Clinton-Clay class reduction program from going in, and I think it is wrong. H.R. 1995, if it passes, has targeted funding and districts that need most of the money will not get it. This includes not only urban districts but rural districts. This also fails to provide separate funding for professional school development, including school counselors, an amendment that I had introduced but failed to get through committee to have school counselors in elementary schools, where we need to start with counseling.

It eliminates funding that the States and local districts use for standard-based reforms. This fails to provide a separate stream of money for funding the class size reductions. I think that the Martinez substitute is the only way to go. It preserves funding to reduce class size, and it does not convert this funding into a block grant. As we have seen in previous funding and school flexibility acts, we have seen Title I practically eliminated where it does not matter the poverty of children, as Title I, which first started with an 80/20 match has now been eliminated down to 50/50.

Until now, Title I eligibility is not even a factor in many instances. The substitute of Martinez also adds $1 billion more to H.R. 1995 for teacher recruitment and training and adds $500 million more for training special education teachers. The substitute guarantees that no school will receive less than their current funding.

I think that when we come to vote, although as I have indicated the provision dealing with the Goodling amendment is positive, I believe that we should strongly support the Martinez substitute. I think that we should vote against 1995.

Mr. GOODLING. Mr. Chairman, may I inquire as to the time remaining?

The CHAIRMAN. The gentleman from Pennsylvania (Mr. GOODLING) has 5 minutes remaining. The time of the gentleman from Missouri (Mr. CLAY) has expired.

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

Mr. Chairman, let me close the debate on what I consider to be probably the most important legislation that will come before the Congress perhaps this year. Let me make a couple of observations before I do that.

First of all, Title I and the Education Flexibility Act are not married in any way, shape, or form. The Flexibility Act had nothing to do with Title I, so I do not know what we just heard was all about; but there was nothing in the Flexibility Act that deals with Title I or hurts Title I in any way.

Secondly, let us make sure everybody understands, we do not undercut class size reduction. This is not a Democrat or a Republican initiative. Everybody, if they can do it, would like to get class-size down to where the researchers say it shows any improvement, and that is at 15 students per classroom or below. So we can talk about 19, we can talk about 18, we can talk about 17.

The research says if we cannot get down to 15, we are probably not going to do very much; but even if we get down to 15 students and we do not have a quality teacher in the classroom, we have destroyed the opportunity for every child to learn.

Now, the important thing, I think, about this manager's amendment is we are trying to make sure that every teacher out there at the present time is also qualified, properly qualified, to teach. We end the short-term, one-shot workshops. I wish this would have happened years ago. Then I would not have to have heard from my mate with 43 years of teaching experience ''they took me out of that classroom today, away from my children, for some nonsense.''

Well, we eliminate that. We say none of this one-shot business, none of this pseudo-improvement of teachers. There has to be a quality program. We insist on intensive, proven programs.

Then we go beyond that. We empower the teachers, the parents, and the principals to develop these programs. Who would know better than those three groups as to what constitutes a good program to improve the teachers' ability to teach in that classroom?

It is the parents, the teachers, and the principals who develop these programs.

Now, another beauty of the program is that if the local school district cannot provide a quality program of teacher improvement, the teachers can participate in a proven professional development program of their choice.

Then finally, we do something, as we heard the gentleman from California (Mr. GEORGE MILLER) say we should have done back in 1965.

Finally, we say, it has to be shown that teachers have improved in relationship to quality, and it has to be proven that all of the students, all of the students, no matter who they are, where they are, all of them have to improve in their academic skills. What more could we provide to local districts, to parents, to children, to administrators, than the opportunity to get a quality teacher in every classroom?

Let me again emphasize, I do not care whether we authorize 200,000; 600,000; 800,000 teachers. Unless we can find a way to get a quality teacher in that classroom, we are just destroying any hope of particularly disadvantaged students ever improving their academic skills. It is in those areas with large numbers of disadvantaged students where, more often than not, quality teachers are missing; and it is in those areas where that reduction comes first. They already do not have quality teachers, and now we are going to add to that problem by increasing the numbers of unqualified teachers in the classroom.

Let us take a dual approach. Let us reduce class size; but while we are doing it, let us make very, very sure that those children are going to have

the benefit of a quality teacher in that classroom. I do not know how anyone can argue against a quality teacher in the classroom. I ask everyone to support this very important manager's amendment.

Mr. Chairman, I include the following:

COMMITTEE ON ARMED SERVICES,
Washington, DC, July 14, 1999.

Hon. WILLIAM F. GOODLING,
Chairman, Committee on Education and the Workforce, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I understand that on Wednesday, June 30, 1999, the Committee on Education and the Workforce ordered favorably reported H.R. 1995, the Teacher Empowerment Act, which was referred to the Committee on Education and the Workforce and, in addition, the Committee on Armed Services. I further understand that those provisions which would modify the ''Troops to Teachers Program'' which is also within the jurisdiction of the Committee on Armed Services were retained in the version of the bill ordered to be reported.

Recognizing your Committee's desire to bring this legislation before the House expeditiously, I will not seek additional time for referral of the bill. By agreeing not to seek additional referral time, the Committee on Armed Services does not waive its jurisdictional interest in H.R. 1995 or any related legislation, nor should my decision not to mark up H.R. 1995 be construed in any manner that would negatively impact on the jurisdiction of the Committee on Armed Services. Furthermore, I would appreciate your support for my efforts to seek appropriate representation for the Committee on Armed Services on any conference with the Senate that may be convened on this legislation.

Thank you again for your attention to our jurisdictional interests in H.R. 1995. I would appreciate your acknowledgment of this letter and request that our exchange of letters be inserted into the Congressional Record during floor consideration of H.R. 1995.

Sincerely,

FLOYD D. SPENCE,
Chairman.

COMMITTEE ON EDUCATION AND THE WORKFORCE,
Washington, DC, July 14, 1999.

Hon. FLOYD SPENCE,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN SPENCE: Thank you for your letter regarding H.R. 1995, the Teacher Empowerment Act, which was ordered favorably reported by the Committee on Education and the Workforce on Wednesday, June 30, 1999. As you have correctly noted, the bill includes provisions that are in the jurisdiction of the Committee on Armed Services and the Committee on Education and the Workforce, specifically those that would create a new Section 2041(b), the ''Troops to Teachers Program''.

I thank you for your willingness to facilitate expediting consideration of H.R. 1995 and to forego a markup by the Committee on Armed Services on this bill. I agree that this procedural route should not be construed to prejudice the Committee on Armed Services' jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to your Committee in the future.

I very sincerely appreciate and thank you for working with me regarding this matter. Your letter and this response will be included in the Congressional Record during floor consideration of H.R. 1995.

Sincerely,

BILL GOODLING,
Chairman.

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Chairman, I associate myself with the remarks of the chairman in strong support of the bill.

Mr. Chairman. I rise in strong support of the Teacher Empowerment Act.

PREVIOUS EXPERIENCE AS A TEACHER

As a former teacher and school board member in my home community, I have always been active in the local school system. I believe that our schools are best prepared to meet the educational needs of our youth when decisions about the needs of our children are made by the local community.

LOCAL CONTROL

I am proud to stand as a cosponsor of this legislation, because I stand by the principle that establishing priorities and setting decisions about our children's education are best made at the local level by local educators—not by bureaucrats in Washington, DC.

STATE LEVEL

Under the TEA bill, money that States receive 95% goes directly to schools.

STATES MUST SPEND MONEY ON HIRING TEACHERS TO REDUCE CLASS SIZE

A portion of each grant received by the district must be spent on hiring teachers; however, TEA gives the option of waiving this requirement if using this would result in relying on under-qualified teachers, inadequate classroom space of any negative consequences which would have a negative impact on student achievement.

Yes, we give priority to more teachers and reducing class size but gives the local community the right to set priorities based on their assessment of community needs.

Currently, too many States are relying heavily on uncertified and unqualified teachers in order to reduce class size.

Without, this bill's common-sense flexibility, this problem will only be exacerbated.

Being a former teacher myself, I have firsthand knowledge that a well qualified teacher can have a significant impact on the lives of his/her students; an impression which can have a favorable impact on the rest of their lives.

ACCOUNTABILITY

STATE LEVEL

In order to receive this money a State must identify performance indicators and goals the State will use to hold local districts and schools accountable for the use of these funds.

LOCAL LEVEL

TEA requires that local school districts to establish local performance standards related to the State goals to increase student achievement and increase the content knowledge of teachers.

PRESIDENT'S PROPOSAL LACKS ANY ACCOUNTABILITY

The President's current ''100,000 New Teachers Program'' lacks any accountability that schools reducing their class size must prove that the reduction is actually improving student achievement.

After all, aren't we all trying to improve student achievement?

The Tea bill accomplishes this with its accountability provisions.

SECRETARY'S ACTIVITIES

A small portion of these funds would be reserved for the Secretary to carry out grants to the National Writing Project, Teacher Excellence Academies, the Troops-to-Teachers program; and the Math and Science Clearinghouse.

These are effective programs that provide great returns on the investment.

My home state of New Jersey is a leading state in alternative teacher certification, so I am pleased that the Secretary may continue to fund Teacher Excellence Academies.

CONCLUSION

This legislation gives authority over decisions concerning our children's education to teachers, parents, and local communities—where these decisions belong!

The Teacher Empowerment Act will prove to be a valuable tool enabling states and localities to empower students to be the best that they can be.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. GOODLING).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. GOODLING. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 253, further proceedings on the amendment offered by the gentleman from Pennsylvania (Mr. GOODLING) will be postponed.

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in the House report 106–240.

AMENDMENT NO. 2 OFFERED BY MR. LAZIO

Mr. LAZIO. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. LAZIO:

Page 10, strike lines 17 and 18 and insert the following:

''(A) include support during the initial teaching experience, such as mentoring programs that—

''(i) provide mentoring to beginning teachers from veteran teachers with expertise in the same subject matter that the beginning teachers will be teaching; and

''(ii) provide mentors time for activities such as coaching, observing, and assisting the teachers who are mentored; and

''(iii) use standards or assessments for guiding beginning teachers that are consistent with the State's student performance standards and with the requirements for professional development activities under section 2033.''.

Page 12, after line 4, insert the following (and redesignate any subsequent provisions accordingly):

''(e) COMPONENTS OF ALTERNATIVE ROUTES TO STATE CERTIFICATION PROGRAMS.—To the extent appropriate, programs under subsection (d)(2)(B) shall—

''(1) include strong academic and teaching-related course work that provides teachers with the subject matter and teaching knowledge needed to help students reach the States content standards;

''(2) provide intensive field experience in the form of an internship, or student teaching, under the direct daily supervision of an expert, veteran teacher; and

''(3) provide that, before entry into teaching, candidates must be fully qualified.''.

Page 37, after line 15, insert the following:

''(2) BEGINNING TEACHER.—The term ''beginning teacher'' means an educator in a public school who has not yet been teaching 3 full school years.''.

Page 37, line 16, strike ''(2)'' and insert ''(3)''.

Page 38, after line 4, insert the following (and redesignate any subsequent provisions accordingly):

''(4) MENTORING PROGRAM.—The term ''mentoring program'' means to provide professional support and development, instruction, and guidance to beginning teachers, but does not include a teacher or individual who begins to work in a supervisory position.''.

The CHAIRMAN. Pursuant to House Resolution 253, the gentleman from New York (Mr. LAZIO), and a Member opposed each will control 5 minutes.

Mr. CLAY. Mr. Chairman, although I am not opposed to the amendment, I ask unanimous consent to control the time in opposition.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. LAZIO).

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

Mr. Chairman, I rise today in support of the Teacher Empowerment Act, and I want to begin by complimenting the committee and particularly the chairman on his leadership in pushing forward an educational agenda that strives for improving teacher quality, sends dollars directly to the classroom, and encourages parental involvement.

As the father of two little ones that are just beginning their careers in school, I want to say that I am personally indebted to the chairman for his work here.

I want to thank the cosponsors of this amendment, the gentleman from Tennessee (Mr. DUNCAN) and the gentlewoman from New Mexico (Mrs. WILSON) for their work on this amendment. The gentlewoman from New Mexico (Mrs. WILSON) in particular is establishing herself as a leader in education and has a true passion for issues affecting children.

Mr. Chairman, the recruitment and retention of good teachers is paramount to improving our national education system. Like doctors in their medical residency and lawyers as associates, teachers supported by senior colleagues are provided with skills that will improve over time, and they will achieve a proficiency that will come more quickly. Hence, they are more likely to remain in the profession because of their success.

A voluntary mentor program was in place in my home State of New York from 1987 to 1992 and again from 1997 to 1998. This program provided assistance for beginning teachers by assigning them to a veteran teacher, other than their supervisor, to provide guidance. This program's success has led to many school districts to seek funding from other sources to continue the program.

Mr. Chairman, this amendment strengthens the bill outlining the essential components of mentoring programs that will improve the experience of new teachers and cut down on the high turnover currently seen among beginning teachers. My amendment also ensures program quality and accountability by requiring that teachers mentor their peers who teach the same subject in compliance with State standards.

A second concern addressed by my amendment is teacher recruitment. Many talented professionals demonstrate a high level of subject area competence outside the education profession and wish to become teachers. Unfortunately, they are discouraged from entering the teaching profession because they have not fulfilled the traditional education certification requirements. Many teachers and leading academic analysts believe that this needs to change.

States should be provided with incentives and given maximum flexibility to create alternative teacher certification and licensure programs to recruit well-educated and talented people into teaching our children. This amendment gives the States this flexibility.

Alternative certification will increase the supply of skilled teachers by allowing recruiting from outside the traditional process. The amendment also improves the quality of our teachers by ensuring that individuals who participate in alternative certification programs are fully knowledgeable in their subject matter and meet State standards.

Again, I want to urge my colleagues to support the Lazio-Wilson-Duncan amendment.

Mr. CLAY. Mr. Chairman, I reserve the balance of my time.

Mr. LAZIO. Mr. Chairman, I yield 1½ minutes to the gentleman from the great State of Tennessee (Mr. DUNCAN), and compliment him for his great work.

□ 1530

Mr. DUNCAN. Mr. Chairman, I thank the gentleman from New York for yielding me this time. I certainly rise in strong support of this amendment, and I thank the gentleman from New York (Mr. LAZIO) and the gentlewoman from New Mexico (Mrs. WILSON) for their support.

As I said during general debate, it makes no sense whatsoever to tell a person like an Alan Greenspan or a Howard Baker or some Ph.D. scientist or somebody who had achieved great success in some field that they could not teach in one of our schools if they were willing to do so at the culmination of their career just because they had not taken education courses.

It makes no sense to tell a college professor who, maybe, had taught in some college for 20 years, because he wanted to move to a different area or because a small college had gone under that he could not teach in a public school because he had not had education courses when he had such great experience.

An article a few days ago in the Washington Post had the headline, quote, Effectiveness of Teacher Certification Question. It said that a new study has shown that, contrary to conventional wisdom, the words it used, students do just as well in science under teachers with emergency or temporary certificates. The study found that students score significantly higher in math if taught by someone with a degree in math rather than one who specialized in education.

Mr. CLAY. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Chairman, I thank the gentleman from Missouri for yielding me this time.

There was another article in the paper a few days ago that said Orange County, Virginia was having a hard time filling 12 teaching openings. Less than 7 weeks away from the opening of schools, they have not yet hired all the teachers they will need. David Baker, the Orange County Assistant Superintendent of Schools, noted that the problem was not a lack of applicants. He has received more resumes and applications than ever before. The problem is that over one-half of the applicants do not have teaching certificates. This is a nationwide problem, and one that is going to grow worse as more and more teachers retire in the next 7 or 8 years.

Local school boards, Mr. Chairman, should be allowed to consider a degree in education as a plus or a positive factor in hiring teachers. But they should not be prohibited by some Federal mandate or State mandate from hiring people who have great knowledge, experience, and success in a field just because they have not taken a few education courses.

Let us put the best teachers we possibly can in our classrooms, and let us pass this bill.

Mr. CLAY. Mr. Chairman, I yield 2½ minutes to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON. Mr. Chairman, I thank the gentleman from Missouri (Mr. CLAY) for his kindness in yielding me this time. I also thank the gentleman from New York (Mr. LAZIO) for his leadership on this issue and leadership on public education issues more generally in this House.

We all know there is going to be a shortage of teachers in America in the next decade. There will be a shortage of teachers in my own home State in New Mexico. It is up to all of us to start thinking outside the box on how we can recruit and retain more great teachers in the classroom.

This amendment strengthens this bill in two critical areas which, when I talk to teachers and administrators and people who work in colleges of education have told me are the most important ones.

The first is mentoring of beginning teachers. In New Mexico, up to 40 percent of our new teachers leave the profession within the first 5 years of starting out as teachers. Now some of them leave for very good reasons. It just does not work for them. It is not the right career for them. They do not feel comfortable in the classroom. But we have also learned that, if we pair an experienced teacher with a new teacher, we are more likely to retain great teachers who need that professional support early in their careers.

The other area that this amendment strengthens and that I am very interested in is the issue of alternative certification. Some folks know when they are teenagers or in their early twenties that they really want to be teachers. Some folks come to that realization later in life when they look at a second career after serving in the military or being a professional scientist.

The reality is that that is much harder to do than it should be. People should be able to use their life's experience and bring it back to young people. If we do not make it easier for people to teach in a second career, we will continue to have the current situation where Georgia O'Keefe could not have taught high school art, Tony Hillerman could not teach creative writing in high schools, Bill Gates could not teach computer science, or Dennis Chavez, the great former Senator from the State of New Mexico, could not have taught American government.

It does not make any sense, and we should change it. But we are not just talking about great people, the Einsteins of the world. We are talking about good people who have a feeling for children and what they need to do to inspire them and educate them. It should be easier for second-career professionals to enter the classroom.

I commend the gentleman from New York for his leadership on this issue and for working with all of us on this fine amendment.

Mr. LAZIO. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the full committee.

Mr. GOODLING. Mr. Chairman, I am happy to rise in support of the Lazio amendment.

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

Mr. Chairman, I just want to say at the conclusion, I want to thank the gentleman from Missouri (Mr. CLAY) for his courtesy in allowing our speakers to articulate their points of view, and there is camaraderie in making sure that these themes are adopted. I thank the gentleman from California (Mr. MCKEON) for his great work in education, and again the gentleman from Pennsylvania (Mr. GOODLING), chairman of the full committee.

This gives us an opportunity to give our children a chance at quality education, something that we all embrace. We need the best possible education for children, for all our children, because education is about the future.

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

Mr. CLAY. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment No. 2 offered by the gentleman from New York (Mr. LAZIO).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 106–240.

AMENDMENT NO. 3 OFFERED BY MR. CASTLE

Mr. CASTLE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. CASTLE:

Page 12, after line 4, insert the following:

''(9) Providing assistance to local educational agencies and eligible partnerships (as defined in section 2021(d)) for the development and implementation of innovative professional development programs that train teachers to use technology to improve teaching and learning and are consistent with the requirements of section 2033.

Page 28, line 18, strike ''and''.

Page 28, line 21, strike the period at the end and insert ''; and''.

Page 28, after line 21, insert the following:

''(6) shall, to the extent appropriate, provide training for teachers in the use of technology so that technology and its applications are effectively used in the classroom to improve teaching and learning in the curriculum and academic content areas in which those teachers provide instruction.

The CHAIRMAN. Pursuant to House Resolution 253, the gentleman from Delaware (Mr. CASTLE) and a Member opposed each will control 5 minutes.

Mr. CLAY. Mr. Chairman, although I am not opposed to the amendment, I ask unanimous consent to control the time in opposition to the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

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

Mr. Chairman, 4 years ago, the Delaware State legislature, in cooperation with Governor Carper, created a plan to establish a modern educational technology infrastructure in Delaware public schools to help students develop the skills our world-class work force requires. As a result, Delaware was the first State in the Nation to have network access in every public school classroom.

Like Delaware, our Nation's school districts are increasingly investing in technology to improve education, communication, and the flow of information. Between school years 1983 to 1984 and 1995 to 1996, the ratio of students per computer has fallen from 125 to as low as 8 nationally. Yet, at a time when 78 percent of public schools have access to the Internet, only 20 percent of teachers report feeling well prepared to integrate educational technology into classroom instruction.

Educational technology can significantly improve student achievement, but we need to do more than simply place the computer in the classroom. We need to provide our educators with the skills they need to incorporate educational technology into their lesson plans.

The Teacher Empowerment Act recognizes the importance of educational technology in our classrooms by encouraging States in school districts to develop and implement professional development programs that train teachers in the use of technology in the classroom.

It also encourages the coordination of activities and the integration of funding with programs under title III, ESEA's education technology programs, to provide comprehensive development programs that focus on technology.

The Castle-Fletcher amendment simply strengthens the technology language that already exists in the Teacher Empowerment Act. It allows States to provide assistance to local educational agencies and eligible partnerships to develop innovative professional development programs that train teachers to use technology. And it requires, to the extent appropriate, that professional development activities provide training for teachers so that technology and its applications are effectively used in classroom learning.

Effective teaching strategies must incorporate educational technology if we are to ensure that all children have the skills they need to compete in their high-tech workplace. I urge an ''aye'' vote.

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

Mr. CLAY. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. OWENS).

Mr. OWENS. Mr. Chairman, I rise in support of this amendment. I urge that we consider some future request for additional funding to accomplish this. I think that we are all aware of the fact that there is a great deal of shortages in the area of information technology workers. The estimate now is that there are about 300,000 positions that are going unfilled, and that within 2 or 3 years, that number will pass a million because the number of young people who are in college now majoring in computer science is so small that it will never fill the gap.

There is a need to broaden the base of the pool. Many more youngsters need to be going into computer science or pursuing an education which will place them in the information technology world somewhere. Maybe they will be placed as mechanics, maybe as technologists. Maybe they will go on to computer programming at some other level.

So our teachers have to supply that pool from which we draw our future computer programmers and computer technologists and people in the schools who are teaching others how to use technology to the best effect for education.

But it cannot be done unless we have some more funding. We cannot talk about it alone because the necessity to purchase the computers, the necessity to make certain that our schools are wired so they can make use of technology; all these items, we cannot ignore and expect this to happen. It costs money.

We had, fortunately, a policy from the Federal Communications Commission which created the E-Rate. The E-Rate pays for the ongoing cost of using technology. It also helps to wire the poorest schools. It provides up to 90 percent of the cost for wiring the poorest schools.

But they still do not supply the computers, and they cannot supply the salaries for the teachers. So we need to, again, return to the consideration of the fact that nowhere are we proposing additional funds. We are not attacking the problems of education in a 21st Century manner by understanding that they require more resources.

Again, I cannot stress too much, we have a golden opportunity; the door of opportunity is open, because of the fact that there is a surplus. Other committees are talking about making demands on that surplus. We have to make demands on that surplus and say that education is an investment that ought to be made. Some portion of that surplus ought to be devoted to areas where it is expensive to operate like the area of technology.

The digital divide is great. Recently a report was released by the Department of Commerce which showed that sinking further and further behind are the children in the poorest areas, because they do not have access to computers at home.

The only other place we are going to be able to close the gap of the digital divide is at school. We cannot close it at school unless they have the money to buy the computers and to pay for the salaries of teachers. We need more funding to make this a reality. I think the gentleman has brought attention to the matter, and he deserves support for that reason.

Mr. CASTLE. Mr. Chairman, I yield the balance of my time to the gentleman from Kentucky (Mr. FLETCHER), a strong supporter of education and member of the Committee on Education and the Workforce.

Mr. FLETCHER. Mr. Chairman, I certainly appreciate and thank the gentleman from Delaware (Mr. CASTLE) for his work, and the gentleman from Pennsylvania (Chairman GOODLING) for his work, and the gentleman from Missouri (Mr. CLAY), the ranking member, for his continued work in improving education in this country.

Let me talk and tell my colleagues a little bit about a lady by the name of Pat Michau. She is the principal of Johnson Elementary School in Lexington, Kentucky. She recently told me, ''It is vital for teachers in the 21st Century to be technology literate. All of the future textbooks and plans for teaching will be on the computer, many of our textbooks are already available on CD ROM, and that number is only going to increase.''

Now Johnson Elementary is an inner-city school that serves primarily low-income and minority students; not what comes to mind when most people think of a high-tech school. However, Principal Michau at Johnson has been effective in integrating technology into every aspect of the curriculum.

The 3- and 4-year-olds in pre-kindergarten are on the computer every day; and by the time the students reach the third and fourth grade, they are able to do PowerPoint presentations for their classmates.

The use of computers is not limited to science and math. Johnson has purchased two digital cameras which teachers take with them on field trips. Then, when they return to the classrooms, students can download pictures from the trip and write about their experiences.

□ 1545

The children also have access to online collections of museums around the world. Besides learning about the artists behind these works, children have been painting their own art modeled after what they have seen on the Internet.

Miss Michau is quick to point out that none of this would be possible if the teachers had not been willing to put in hours of training in order to bring this technology to their students.

She said, ''School is the only place where some of these children will be exposed to computers, and it is vital to their future success that their teachers are effective teachers of technology.''

The demands of teaching in this country are growing more and more complicated every day, and we owe it to our children, especially our low-income and minority students, to provide them with every possible tool in order to meet the challenges of an increasingly technological society.

An investment in professional development for our teachers is an investment in our future, and I hope that my colleagues will join the gentleman from Delaware (Mr. CASTLE) and myself in opening the door to the world of technology for children across this country.

Mr. CLAY. Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. LARSON).

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

Mr. LARSON. Mr. Chairman, I rise in support of this amendment. Clearly and fundamentally I believe our public education system, and especially our teachers, need all the support that they can get to assist themselves in integrating voice, video and data in their instruction to make sure that our students are equipped to compete in the 21st century.

I have proposed a series of bills myself that focus on this subject matter and concur with the authors of this fine amendment, the gentleman from Delaware (Mr. CASTLE) and the gentleman from Kentucky (Mr. FLETCHER), and agree that moving forward and providing teachers with the opportunity to provide enhanced technological education within our classrooms is the best way for us to compete in a global economy in the future.

Mr. CASTLE. Mr. Chairman, I yield the balance of my time to the gentleman from Pennsylvania (Mr. GOODLING), the distinguished chairman of the Committee on Education and the Workforce.

Mr. GOODLING. Mr. Chairman, I rise in strong support of the amendment of the gentleman from Delaware. One of the worst things we have done to teachers over the years is every time some new curriculum or some new method of instruction or some new technology arrived on the scene, we stuck it in front of them but did nothing to prepare them to use it. It was totally unfair to the teachers and, of course, not helpful to the students.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Delaware (Mr. CASTLE).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 106–240.

AMENDMENT NO. 4 OFFERED BY MR. MCINTOSH

Mr. McINTOSH. Mr. Chairman, pursuant to the rule, I offer amendment No. 4.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. MCINTOSH:

Page 15, after line 10, insert the following:

''(6) A description of how the State will ensure that local educational agencies will comply with the requirement under section 2033(b)(5), especially with respect to ensuring the participation of teachers and parents.

Page 26, after line 9, insert the following:

''(5) A description of how the local educational agency has collaborated with teachers, principals, parents, and administrators in the preparation of the application.

Page 28, line 20, after ''principles,'' insert ''parents,''.

The CHAIRMAN. Pursuant to House Resolution 253, the gentleman from Indiana (Mr. MCINTOSH) and a Member opposed each will control 5 minutes.

Mr. CLAY. Mr. Chairman, I ask unanimous consent to control the time on this side.

The CHAIRMAN. Without objection, the gentleman from Missouri (Mr. CLAY) will control the time in opposition.

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. MCINTOSH).

Mr. MCINTOSH. Mr. Chairman, I yield myself such time as I may consume, and I rise in support of the bill and to offer this amendment which strengthens the Teacher Empowerment Act's accountability by providing for parental and teacher involvement in

Teacher Empowerment Act activities. It accomplishes this goal in two ways:

One, it ensures that the local education authority show that they have included parents and teachers in their applications for funding. Second, the amendment asks States to ensure that the local education agencies work to get parent and teacher participation in the building of professional development programs for teachers.

The reason I am offering this amendment is simple: greater parental involvement means greater accountability and, more importantly, a better education for our children. Schools should not just be accountable to Washington. They must also be accountable to the parents of our children. By giving parents a greater role in deciding how schools will meet the TEA requirements, we ensure a better use of funds.

The bill also ensures that teachers are involved in the developing of these plans. In many cases, professional development programs have been implemented without any teacher input. The problem with this should be obvious to everyone. With the increased oversight this provision will bring, it is far more likely that these programs will be highly qualified and will add to a high quality of enhanced professional development and will be based on improving teachers' ability to teach in the core academic subjects as opposed to simply providing for the type of professional development in bulletin board management.

Everyone knows that parental involvement in their children's education makes a critical difference in their child's level of educational achievement. In the same way, parental involvement in the needs assessment and direction setting at schools can make an important contribution to how well these schools meet the needs of their students.

Parents are in the best position to help assess the needs of their children. Children who come from different populations have different educational challenges. Parents are in a strong position to help the schools set goals and their directions. They are in the best position to help the schools succeed in meeting these educational goals.

Now, my amendment is not a radical new proposal. The Eisenhower Math and Science program already requires this type of parental involvement, and this amendment simply extends this provision to all of the activities funded under the Teacher Empowerment Act.

In my hometown of Muncie, Indiana, the parental involvement component of the Eisenhower provision is being met in various ways. Parents are invited to take part in the needs assessment and surveys which help our schools to know where they are succeeding and, frankly, where they are failing. Parents are invited to form school-level committees to help the schools decide how best to make use of the new grant money from the Federal Government.

Now, often parents are also invited by the schools to participate in the training program that is funded through the Eisenhower grant. This is taking place especially under the program's technology and science grants. Often schools invite any parent who is interested in learning a certain computer or science skill that is being taught to participate in the program. In many cases, the parents' involvement in Muncie with the learning, from the planning stage to the classroom application, has the result of improving their parenting skills, especially with respect to children and their homework.

In short, the Muncie community schools realize that parent involvement is important, support is necessary for success, and join us in achieving this goal in this legislation.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. MCINTOSH. I yield to the gentleman from New York.

Mr. OWENS. Mr. Chairman, I have a question I just wanted to clarify regarding the way the gentleman measures parental involvement. Under present law, there is a requirement in Title I that 1 percent of the funds must be available to the parents for parental involvement purposes. Does the gentleman have any way to measure or monitor any requirement that they carry out the parent involvement part of the bill?

Mr. MCINTOSH. Reclaiming my time, Mr. Chairman, if I may, let me address the gentleman's question. This provision does not touch Title I at all, so it leaves it exactly as it is under current law.

And let me also address a concern that we have heard from some other Members. It is not a mandate in the sense of how schools must have parental involvement. It is simply an acknowledgment that it is important and a requirement that they tell us what they are doing to include parental involvement. How they do it we are leaving very much up to the local school, recognizing that each school will have different needs and different approaches that work better in their population.

Finally, I want to make one thing very clear. I think this amendment, and in the case of the Muncie school program, indicates that there are multiple ways of including parental involvement in programs. And I firmly believe our school districts and not Congress are in the best position of how to implement that goal. But this amendment strives to put squarely into the law the goal of achieving more parental involvement in our school system and in our professional development.

Mr. Chairman, I ask my colleagues to vote in favor of the amendment and the bill.

Mr. CLAY. Mr. Chairman, I have no requests for time, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. MCINTOSH).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 106–240.

AMENDMENT NO. 5 OFFERED BY MR. FLETCHER

Mr. FLETCHER. Pursuant to the rule, I offer amendment No. 5.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. FLETCHER:

Page 24, after line 13, strike ''and'' at the end;

Page 24, after line 18, strike the period at the end and insert ''; and''.

Page 24, after line 18, insert the following:

''(H) professional development programs that provide instruction in how to teach character education in a manner that—

''(i) reflects the values of parents, teachers, and local communities; and

''(ii) incorporates elements of good character, including honesty, citizenship, courage, justice, respect, personal responsibility, and trustworthiness.

The CHAIRMAN. Pursuant to House Resolution 253, the gentleman from Kentucky (Mr. FLETCHER) and a Member opposed each will control 5 minutes.

Mr. CLAY. Mr. Chairman, I ask unanimous consent to control the time on this side.

The CHAIRMAN. Without objection, the gentleman from Missouri (Mr. CLAY) will control the time in opposition.

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky (Mr. FLETCHER).

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

Mr. Chairman, once again I would like to commend the committee chairman, the gentleman from Pennsylvania (Mr. GOODLING), for his work on this Teacher Empowerment Act.

No one can argue that parents have the primary responsibility for raising their children, and there is no substitute for a strong family that prays together, reads together, and spends time together. Unfortunately, many of our children are not receiving the attention from parents that they need. The average American child spends almost 20 hours a week watching television and less than an hour in meaningful conversation with a parent.

Next to parents, the most important factor in whether or not a child succeeds academically is the quality of the teachers in the classroom. Children spend 6 hours a day in the classroom, at least 30 hours a week, more than the time they spend watching TV and talking with their parents combined.

Every parent should be confident that the person standing in front of his or her child's classroom is both knowledgeable and qualified. Unfortunately, this is not always the case. The Teacher Empowerment Act gives States the

flexibility to use Federal education dollars to promote innovative reforms to improve teacher quality, reduce class size, and ensure quality professional development.

Too often the lessons our children learn in school fail to emphasize the importance of citizenship and respect. The first step towards fixing this problem is giving teachers the training necessary to convey these ideas to our children in an effective and positive manner.

History and literature are full of lessons on character that we should share with our youth. American history, from the creation of the Constitution to the Civil War and up through the Civil Rights Movement, is replete with examples of the importance of character in our society. Teachers must build upon this historical foundation accordingly. Unfortunately, character education is often absent in teacher training.

A constituent from my district recent contacted me saying that they were interested in introducing character education but really were not sure where to start. My amendment answers that question. It allows the use of professional development dollars to instruct teachers on teaching character education that reflects the values of parents and the local community.

This amendment accompanies and augments the amendment I offered to the Consequences for Juvenile Offenders Act earlier this summer, which received overwhelming support. This amendment states that character education should incorporate elements such as honesty, citizenship, courage, justice, personal responsibility, and trustworthiness.

These virtues are the hallmark of a civilized society, and I do not believe that anyone could argue with their inclusion in a child's education.

Today's students are tomorrow's leaders, and I ask my colleagues to join me in supporting this amendment to help our teachers equip our students for the moral and academic challenges of the 21st century.

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

Mr. CLAY. Mr. Chairman, I have no requests for time, and I yield back the balance of my time.

Mr. FLETCHER. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Chairman, I am pleased to support the Fletcher amendment. As parents of two young boys approaching school age, my wife and I share some serious concerns. During their 12 years in elementary, middle and high school my sons will end up nearly spending as much time directly or indirectly with their teachers as they will with us.

As all other parents, we want to do everything possible to give our children a quality education. Not only do we want them to learn the academic basics, but we want them to make sure that schools are contemplating what we are teaching our children at home about character and values.

The Fletcher amendment supplements the underlying bill by permitting the use of funds for character education. It will let local school systems train teachers how to more effectively communicate the values of our local communities.

The character traits of honesty, citizenship, courage, justice, respect, personal responsibility, and trustworthiness are as important to a child's success in life as reading and math, and I urge its approval.

Mrs. MORELLA. Mr. Chairman, I rise in support of the Castle/Fletcher amendment that will provide teachers with the technology training they need to meet the classroom challenges of the 21st century.

I am the sponsor and author of the Teacher Technology Training Act of 1999 (H.R. 645) that would include technology in teacher training and professional development programs authorized under the Elementary and Secondary Education Act (ESEA). The Castle/Fletcher Amendment is very similar to the Teacher Technology Training Act of 1999. Under both the Amendment and the Training Act, school districts and local education agencies that receive federal funding would have to provide training for teachers in the sue of education technology.

Technology is changing our world. It is the engine that is driving our economy as we turn the corner into a new century. It affects the way we communicate, the way we conduct commerce, and the way our children learn in school. Our students are in the midst of a technology revolution that has paved the way for limitless possibilities in the classroom.

However, with all of its possibilities, technology alone cannot improve our system of education. Technology can provide little educational benefit, without the help of the classroom teacher. The classroom teacher is the key to success in bringing technology into our schools in a meaningful way.

All too often, however, teachers are expected to incorporate technology into their instruction without being given the training to do so. A recent study by the Education Department's National Center for Education Statistics shows that only one in five teachers nationwide feel that they are prepared to use modern technology in the classroom.

That is why I introduced the Teacher Training in Technology Act, and that is why I urge my colleagues to vote ''yes'' on the Castle-Fletcher amendment.

Mr. LARSON. Mr. Chairman, I rise today in support of the Castle-Fletcher amendment to the Teacher Empowerment Act to increase teachers knowledge of classroom technology. It is vitally important, as we approach the 21st century, that in order to remain competitive in the global economy, we adapt and, indeed, stay ahead of the revolutionary technological advances that are changing our lives on a daily basis.

Once a mere concept, the knowledge based economy is now a reality. I have often heard mentioned that the leap technology has taken is analogous to going from the dark ages to the renaissance, from cloistered monks scrolling information for the scholarly few to Gutenberg inventing movable type, and exposing the masses to the knowledge contained in books. It is indeed a momentous change. But to maintain our position in the global stage, we must make sure that we integrate technology into our society at the most important stage of our children's development. We must integrate technology into our children's classrooms.

To help our children maintain their competitive advantage in the Information Age, we must give our teachers the tools they need to integrate technology in the classroom. With this amendment we take a positive step in this direction. This amendment would allow professional development programs funded under the Act to provide training for teachers in the uses of technology and its uses in the classroom to improve teaching and learning. It would also provide state funds to Local Education Agencies and Higher Education Partnerships for development of programs that train teachers how to use technology in the classroom.

The amendment is important because integrating technology into the classrooms is not just about wiring schools to the Internet. It is also about making sure that we integrate all aspects of technology, including voice, video, data and distance learning, into the curriculum and that we do so effectively. Our teachers should be trained to develop innovative ways to include technology in teaching our children. Not just to teach our children to surf the Web—although I suspect that it is not the children who need help in this area—but also to develop ways to use technology in actual subject matter.

As a former teacher and father of three children, it is quite evident to me that a comprehensive approach should be developed to place our children in a position to excel in this new economy. To that effect, I recently introduced a bill that will develop a strategic plan to create a national technological infrastructure to connect public schools to the information superhighway. It is only the first step in a three-pronged strategy that will include infrastructure support, teacher enhancement, and child development. In the meantime, I will continue to be a strong supporter of efforts that move our classrooms into the 21st century.

In closing, Mr. Chairman, I want to thank the gentlemen from Delaware, Mr. CASTLE and the gentleman from Kentucky, Mr. FLETCHER for their vision in offering this amendment to improve the efficiency of our teachers and to prepare our children for the challenges they will face in the coming century. I urge all my colleagues to support this amendment.

Mr. HAYES. Mr. Chairman, I rise in support of Mr. FLETCHER's amendment. As my colleagues know I was a cosponsor on this amendment to H.R. 1501, the Juvenile Justice legislation several weeks ago.

Over the Fourth of July recess, I held a forum in my home town of Concord, North Carolina to discuss the influence of entertainment and the media on the growing problem of youth violence. I invited teachers, parents, school administrators, students and concerned citizens to join me in a community discussion to raise awareness of our citizens that we must all work together to support our children.

There was a consensus that we must restore some much needed balance to legislation that impacts our nation's culture. Local educators expressed the need to teach character education in our schools. Parents agreed that the values and morals that are taught at

home should be reinforced at school. And Administrators asked for the tools and support to work with parents and community organizations to provide substantive after school programs.

I encourage my colleagues to support this amendment and support our teachers and school administrators by making character education development programs available so teachers and parents can work together to craft a curriculum that reflects the values of their community.

□ 1600

Mr. FLETCHER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky (Mr. FLETCHER).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 106–240.

AMENDMENT NO. 6 OFFERED BY MR. ANDREWS

Mr. ANDREWS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. ANDREWS: Page 24, after line 20, insert the following: ''(5) Professional activities designed to improve the quality of principals.''.

The CHAIRMAN. Pursuant to House Resolution 253, the gentleman from New Jersey (Mr. ANDREWS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. ANDREWS).

Mr. GOODLING. Mr. Chairman, I am not opposed to the amendment, but I ask unanimous consent to control the time in opposition.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ANDREWS. Mr. Chairman, I yield myself such time as I may consume. I believe we can briefly and expeditiously move through this amendment. There is a strong bipartisan consensus in the committee and I believe in this House for the proposition that well-trained, well-prepared educators should interact with our children on a regular basis. There has been much good work done here today on the issue of training teachers. We may disagree over some of the particulars, but we all agree on the proposition that well-motivated and trained teachers are a real asset to our education system. I believe that that same principle should extend to the principals of our schools around the country.

One of the key differences between a succeeding school and a failing school is the presence or absence of an empowered, motivated leader serving in the principal's office. The gentleman from Wisconsin (Mr. KIND) has contributed some significant work to this bill for which I applaud him, and I am trying to supplement what he has already done by suggesting in this amendment that one of the criteria which ought to be evaluated with respect to the professional development plans submitted by school districts under this bill is their plan for and preparations for a comprehensive program of principal development and training. The principal really is both the chief executive officer and the chief operating officer of the school. He or she is financial planner, medical adviser, social worker, business manager, mentor, referee, community liaison, ambassador and many, many other things. It is a job that requires updating and recharging of one's batteries.

So the purpose of this amendment is to be sure that those considerations are taken into account when the professional development plans are offered.

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

Mr. GOODLING. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. SHAW).

Mr. SHAW. I thank the gentleman for yielding me this time.

Mr. Chairman, I want to speak on this amendment as it ties into the previous amendment with regard to ethics. So often the only quality time that a child spends today with both parents working, with the TV blaring at home, is the time spent with teachers, with the principals of the schools, those people who set the agenda in life.

I think it is vitally important that we do teach values and that these things become part of the curriculum and that the teachers are properly instructed in ways of such teaching. It is not just automatic, the teaching of ethics and values in today's world. I think when we see that the children and the teachers that we have put so much responsibility in, I think it is only right that they become part of the overall scheme of building not only the education but also the character of the young people today.

Mr. ANDREWS. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Chairman, I thank the gentleman from New Jersey for yielding me this time. I also want to commend him for this very important amendment. I would encourage my colleagues to support this amendment.

This amendment recognizes the important role that principals play in school districts throughout the country. You ask any teacher, you ask any parent who is at all involved with their schools, and they will tell you the important role that principals play. They establish the theme, the spirit, the energy, the leadership that is crucial to making the vitally important educational reforms that are necessary in order to improve the quality of education for our kids.

It was based on that recognition that I worked with the leadership on both sides of the aisle in order to get a special provision included in the bill addressing the importance of training and professional development programs geared towards principals but also for administrators and superintendents, so that they have the ability to upgrade and improve their skills. School districts, when they are out trying to find qualified people to fill these roles, will, hopefully, have an easier and better time in finding the right people to perform this important role. There is nothing more frustrating than for a school board to have to go through multiple interviewing rounds to fill a principal position or a superintendent position because they cannot find the right fit or a qualified person to do the job. That is why I think this amendment is particularly important.

There is one principal in my district who I would like to commend and specifically recognize right now. Her name is Heather Grant, and she is the principal of Lincoln Elementary School in Eau Claire, WI. I had the opportunity to visit that school and meet with her, her staff and teachers and discuss at length with them their program for change and the reforms they were implementing to improve the quality of teaching and improve the reading skills of their pupils. Ms. Grant, through her own initiative and energy, went out and obtained a comprehensive school reform grant, an Obey-Porter grant. They are now implementing Success for All at the elementary school with the funds from that grant.

I can't describe how much fun it was to walk into those classes and see the sparkle and the energy in the students' eyes, meeting the teachers, listening to how they and the parents have bought into the school reform problem under the leadership of Principal Grant, and witnessing the superintendent and the community working together. That is why I think this is an important amendment. It's meant to benefit the Heather Grants and all future principals across the country. Again, I would encourage my colleagues to support it.

Mr. GOODLING. Mr. Chairman, I yield 1 minute to the distinguished gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Chairman, I support strongly the Andrews amendment. I appreciate his putting the hard work into this. We just had a hearing in Concord about a week ago now. I was amazed at the number of principals and teachers that came and talked about the kind of assistance that they would like to have. This amendment helps them.

On the Fourth of July, I held a forum, as I said, to discuss the influence of entertainment in the media on the growing problem of youth violence. I invited the teachers and parents to come. Many citizens did just that. They discussed the awareness of citizens, that we must all work together to support our children. There is a consensus that we must restore much-needed balance to legislation that impacts our culture. Local educators expressed the need to reach out and teach character education in our schools.

Parents agree that the values and morals that are taught at home should be reinforced at school. Administrators ask for the tools and support to work with parents and community organizations to provide substantive programs for after school.

I encourage my colleagues to support this amendment and support our teachers and school administrators by making character education development programs available to teachers and parents so that they can work together to craft a curriculum that reflects the values of their community.

I thank the gentleman from New Jersey again for this amendment.

Mr. ANDREWS. Mr. Chairman, I yield myself such time as I may consume. In conclusion, I appreciate the kind words my colleagues have said. I learned well from my late father-in-law, Dr. Alan Emerson Wolf, a career educator in the Pennsylvania public schools, as is the chairman of this committee, that well-empowered, well-trained principals are a key to quality public education. That is the idea behind this amendment.

I would urge my colleagues to support it.

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

Mr. GOODLING. Mr. Chairman, I yield myself the balance of my time.

Thanks to the help of the gentleman from Wisconsin (Mr. KIND), TEA currently includes many of the provisions related to the needs of principals. Perhaps no one in the Congress knows those needs better than I, since I spent 10 years in that capacity.

Specifically under the legislation, it provides for developing and implementing an effective mechanism to assist local educational agencies and schools in effectively recruiting and retaining highly qualified and effective teachers and principals.

In addition, language was added as part of the en bloc amendment which will allow the Secretary to fund projects to provide professional development for principals as leaders of school reform.

The bill also includes language to ensure that principals are involved in extensive participation in professional development programs. This amendment just adds to making sure that principals are given great consideration because they will pretty well determine what happens within a school building.

The CHAIRMAN pro tempore (Mr. EWING). The question is on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 7 printed in House Report 106–240.

AMENDMENT NO. 7 OFFERED BY MR. KUCINICH

Mr. KUCINICH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. KUCINICH:

Page 35, after line 7, insert the following:

''SEC. 2043. NATIONAL CLEARINGHOUSE FOR TEACHER ENTREPRENEURSHIP.

''The Secretary may award a grant or contract to an organization or institution with substantial experience in entrepreneurship education to establish and operate a National Clearinghouse for Teacher Entrepreneurship to coordinate professional development opportunities for teachers, collect and disseminate curricular materials, and undertake other activities to encourage teacher interest and involvement in entrepreneurship education, particularly for teachers of grades 7 through 12.''.

The CHAIRMAN pro tempore. Pursuant to House Resolution 253, the gentleman from Ohio (Mr. KUCINICH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. KUCINICH).

Mr. GOODLING. Mr. Chairman, I am not opposed to the amendment, but I ask unanimous consent to control the 5 minutes.

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

There was no objection.

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

I first of all want to thank the gentleman from Pennsylvania for his encouragement of this idea. Our long running discussion about this has been very productive.

I come before my colleagues today, Mr. Chairman, with an amendment, working with the gentleman from New Jersey (Mr. ANDREWS), to create a national clearinghouse for teaching entrepreneurship. The purpose is to establish a network for the efficient distribution of Federal resources in schools and having those resources distributed to schools and local educational agencies to teach entrepreneurship skills to junior high and high school students. The clearinghouse would coordinate professional development opportunities, collect and distribute materials and support activities which encourage teachers' interest in entrepreneurship education.

The latest research shows there are about 4 million new businesses created in the U.S. each year, creating new jobs and new opportunities for new business activity for existing businesses. As a former small businessperson, I have experienced the challenges of starting and successfully operating a new enterprise. I believe that education and training in entrepreneurship skills will give junior high and high school students the basic knowledge of our economy, self-esteem and sense of individual opportunity that they need to excel in our modern high-tech economy. The multiple dimensions of entrepreneurship education will help to nurture an ethic of personal responsibility in our young people and expand the career opportunities available to them.

Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Chairman, I thank my coauthor of the amendment, the gentleman from Ohio (Mr. KUCINICH), and I thank the gentleman from Pennsylvania (Mr. GOODLING), the gentleman from Delaware (Mr. CASTLE), the gentleman from California (Mr. MCKEON) and the gentleman from Missouri (Mr. CLAY) for their cooperation in this.

I think there is broad consensus that no child should have to sit at the back of the bus educationally or economically. This amendment is making sure that every child if he or she is willing to work for it and has the ability not only does not have to sit at the back of the bus but can own the bus company someday. This is an idea about introducing very young people to the idea that they can take their creative energies, pour them into the founding and growth of a business and accomplish, many, many things. This is an idea that marries the best impulses of both political traditions. It recognizes the importance of government acting affirmatively to provide opportunities to young people who may not have that opportunity through the public education system, and it recognizes the provocative power of the private sector in developing new products, creating jobs and expanding this country's great technological lead around the world.

I know that the gentleman from Ohio has seen in Ohio and around the country as I have seen in New Jersey the great promise and enthusiasm that young people have when they are enlightened at an early age to the power of entrepreneurial work. Educating our teachers to enlighten children and young people as to that is a very worthy goal.

□ 1615

So I was proud to work with him on this amendment. I appreciate very much the considerations being given by both the majority and minority on the committee, and I would urge its adoption.

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

Obviously the word ''entrepreneurship'' is a Republican word; there is no question about that. So we are very happy to accept the amendment the gentleman from Ohio has offered.

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

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

Mr. Chairman I want to thank the gentleman from Pennsylvania (Mr. GOODLING) for his assistance on this. I also want to thank especially our leader on our side of the aisle, the gentleman from Missouri (Mr. CLAY). As my colleagues know, he was the one who encouraged me to join the Committee on Education and the Workforce, and I am very grateful for that

because it gave me a chance to work with some of the finest Members of this Congress, and I want to thank the gentleman from Missouri for the opportunity to come forward with an amendment like this which has the support of both sides of the aisle. I really appreciate the help that he has given me to be able to take this the distance.

So I want to again thank the gentleman from Missouri (Mr. CLAY) and the gentleman from Pennsylvania (Mr. GOODLING).

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 106–240.

AMENDMENT NO. 8 OFFERED BY MR. HILLEARY

Mr. HILLEARY. Mr. Chairman, pursuant to the rule, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. HILLEARY:

Page 36, after line 15, insert the following:

"SEC. 2043. RURAL TEACHERS.

''(a) IN GENERAL.—The Secretary may award grants on a competitive basis to rural eligible local educational agencies to carry out activities described in subsection (b).

''(b) USE OF FUNDS.—A rural eligible local educational agency that receives a grant under this section may use such funds to develop incentive programs—

''(1) to recruit and retain qualified teachers; and

''(2) to provide high-quality professional development to teachers.

''(c) APPLICATION.—To be eligible to receive a grant under this section, a rural eligible local educational agency shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(d) DEFINITIONS.—For purposes of this section:

''(1) METROPOLITAN STATISTICAL AREA.—The term 'metropolitan statistical area' has the meaning given such term by the Bureau of the Census.

''(2) RURAL ELIGIBLE LOCAL EDUCATIONAL AGENCY.—The term 'rural eligible local educational agency' means a local educational agency—

''(A) that is not located in a metropolitan statistical area; and

''(B) in which there is a high percentage of individuals from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))).

The CHAIRMAN. Pursuant to House Resolution 253, the gentleman from Tennessee (Mr. HILLEARY) and a Member opposed each will control 5 minutes.

Does any Member rise in opposition to the amendment?

Mrs. CLAYTON. Mr. Chairman, I ask to control the time, although I am not in opposition.

The CHAIRMAN. Without objection, the gentlewoman from North Carolina (Mrs. CLAYTON) will be recognized for 5 minutes.

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee (Mr. HILLEARY).

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

First, I would like to begin by thanking the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from California (Mr. MCKEON) for their work on this legislation. As a fairly junior Member on this committee, I have been ecstatic with the work all my colleagues put in on this act, and I am confident this legislation is going to provide our teachers with a great tool to excel.

I also feel strongly that benefits of this legislation must reach all our communities across the country, and that is the reason for this amendment. This amendment will allow the Secretary of Education to direct a portion of the general funds in this act to rural impoverished areas. Often these areas find it hard to attract and retain teachers. As a result, teacher shortages and high turnover are commonplace in regions like Appalachia in my home State as well as other rural communities in almost every other State across the country.

Under this amendment, a needy rural school district can prevent a mass exodus of qualified teachers by first creating incentive programs to retain teachers; second, improving the quality of the teachers through enhanced professional development; and, third, by hiring new teachers.

While larger school districts often have professional grant writers who fill out applications for Federal outlays, poor rural communities are sometimes overlooked not on purpose but simply because they do not have the resources to fill out the mountain of Federal paperwork required to obtain these funds. This reality comes at the expense of children who desparately need these funds.

I want to stress that this amendment is structured to provide the Secretary of Education with an allowable use of funds. Thus this amendment in no way mandates the creation of a new program which will take away one penny from urban or other areas that would not qualify.

So, Mr. Chairman, I ask my colleagues to support our schools in need and support the Hilleary amendment.

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

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

Mr. Chairman, on April 29, 1999, I introduced a bill entitled the Rural Teacher Recruitment Act of 1999. I support this amendment because it is very similar to the bill that I introduced. I congratulate the gentleman from Tennessee (Mr. HILLEARY) for his leadership and his sensitivity to the rural community. The Rural Teachers Amendment Act is a much needed measure designed to address teacher shortage, recruitment and retention, especially in rural communities. Recruiting and retaining quality teachers is so important yet very difficult in schools across the Nation.

Our accomplishing this goal in rural areas is even a greater task. That is because there is little or no motivation for teachers to teach and remain in rural districts. This amendment offers an incentive that encourages teachers to teach in these unrepresentative areas. The amendment allows rural local education agencies to submit an application to the Secretary of the Department of Education for a grant to develop incentive programs for the recruitment of new teachers to provide instruction in those areas.

As we move into the 21st century, it is time to ensure that we have talented, dedicated and qualified teachers. We must, however, give new teachers a reason to favor providing structure in rural districts. We must reduce the shortage of quality teachers in areas where they are needed the most. Without these teachers, our communities, our children are the ones who suffer. This amendment will help make sure that every community and most of all the rural communities would be represented and with quality teachers.

I, therefore, Mr. Chairman, urge all of my colleagues to support this amendment.

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

Mr. HILLEARY. Mr. Chairman, I thank the gentlewoman from North Carolina for her comments, and I yield 30 seconds to the gentleman from Pennsylvania (Mr. GOODLING), chairman of the Committee on Education and the Workforce.

Mr. GOODLING. Mr. Chairman, I would hate to oppose this amendment because not only would I have to deal with the gentleman from Tennessee (Mr. HILLEARY), but can my colleagues imagine getting in the elevator alone with the gentlewoman from North Carolina (Mrs. CLAYTON), and the door goes shut, what would happen if I would oppose this amendment?

So I am happy, Mr. Chairman, to support the amendment.

Mrs. CLAYTON. Mr. Chairman, I think that is an endorsement from the chairman of the Committee on Education and the Workforce.

Mr. Chairman, I yield 1 minute to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Mr. Chairman, I thank the gentlewoman from North Carolina for yielding this time to me. I also thank her for her work on identifying rural America as having unusually important needs in the area of recruitment and retention of teachers, for legislation she introduced which I cosponsored is very, very similar to the amendment offered by the gentleman from Tennessee (Mr. HILLEARY) and I commend him for his amendment.

North Dakota, just for an example, reported recently that nearly one-third of its public school teachers are over the age of 50, and we have so many parts of the State that are depopulating, becoming even more difficult to recruit and retain State teachers. Our classroom performance of our students is at or near the top on so many important benchmarks, and clearly quality classroom teachers has been a cornerstone of the success of North Dakota public education.

But we need help; we need the kind of help that the amendment of the gentleman from Tennessee (Mr. HILLEARY) offers, and I appreciate very much the support my colleagues are giving to those rural areas struggling to maintain quality public schools.

Mr. HILLEARY. Mr. Chairman, I yield the remainder of my time to the gentleman from Nebraska (Mr. BARRETT).

Mr. BARRETT of Nebraska. Mr. Chairman, I thank the gentleman for yielding this time to me, and Mr. Chairman, I am very pleased to rise in support of the Hilleary amendment to H.R. 1995. I know from experience that small rural schools do a very good job of educating students. Rural school students benefit from small classes and personalized learning experiences and opportunities to participate in extracurricular activities, personal relationships with teachers and administrators and certainly strong parental and community involvement.

In fact, about 20 percent of the students in this country actually attend rural schools, and many of those schools are in my congressional district. Despite all of the benefits of rural school environment, too often rural schools are faced with serious problems, developing, attracting and retaining good teachers, highly qualified teachers. There are a lot of reasons for these problems ranging from lifestyle issues and isolated communities to a successful economy that attracts highly qualified potential teachers into other career fields.

The amendment would not in any way increase the authorization level of the bill. It simply recognizes some of the unique challenges faced by rural school districts and allows them the option of addressing these challenges through the Teacher Empowerment Act.

I certainly wholeheartedly support the amendment, Mr. Chairman.

Mrs. CLAYTON. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. ETHERIDGE), one of the greatest educators of this Nation who was a former State superintendant of education in North Carolina.

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

Mr. ETHERIDGE. Mr. Chairman, I support the amendment offered by the gentleman from Tennessee for rural education. This amendment is essentially the Clayton bill for rural needy schools, which I strongly support and which I am an original cosponsor. I commend my home State colleague for her leadership in this important area.

Mr. Chairman, I grew up on a farm in rural Johnston County, and I know that we have some wonderful teachers in our rural schools. But as a former State superintendent, I also know that rural schools often face the most daunting challenges for quality education. Rural schools often lack the tax base to support investments in strong schools. They also lack the population base needed to gain many of the formulas for government assistance.

That is why this amendment is so important and we must pass this vital assistance for rural schools.

Mr. Chairman, I must say though that I oppose this underlying bill because, as I have said before, block granting needed investments, cutting funding and disenfranchising State education agencies and shifting the government structure over to governors is the wrong way to improve our schools. But, as this bill moves forward, I urge my colleagues to support this amendment for rural schools so that the final legislation can produce the best possible bill for our children.

Mrs. CLAYTON. Mr. Chairman, I yield the balance of my time to the gentleman from Louisiana (Mr. JOHN).

Mr. JOHN. Mr. Chairman, I thank the gentlewoman from North Carolina (Mrs. CLAYTON) for yielding this time to me.

Many parts of rural America have had a difficult time in sharing the prosperous economic times that we have all enjoyed due to declining farm prices and farm income and the natural disasters. And to make matters worse, many of our rural schools have been struggling with limited tax bases, and some simply do not have the resources available to compete competitively with other school districts that have more students and more resources.

I think that it is time that this gentleman bring this amendment in front of us today because it is important for our rural schools. I look forward to working with him to address the problems of limit shrinking and disappearing tax bases, hiring and retention of qualified teachers which is so very important, high transportation costs, crumbling buildings and limited course offerings and limited resource.

I have introduced in Congress the Rural Education Development Initiative, a bill very similar to what has been talked about here, a bill that shoots right at the heart of what I think is very important for our educating of rural schools, to help our needy students that live in the rural impoverished schools across America. I want to thank the gentleman also from Tennessee for bringing this issue to the floor today, and I think that it makes great strides in addressing some of the most important issues, I believe, that can be, and that is addressing educating our rural schools.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Tennessee (Mr. HILLEARY).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 9 printed in House Report 106–240.

AMENDMENT NO. 9 OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, pursuant to the rule, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. ROEMER:

Page 36, after line 15, insert the following:

"SEC. 2043. TRANSITION TO TEACHING.

"(a) PURPOSE.—The purpose of this section is to address the need of high-need local educational agencies for highly qualified teachers in particular subject areas, such as mathematics, science, foreign languages, bilingual education, and special education, needed by those agencies, following the model of the successful teachers placement program known as the 'Troops-to-Teachers program', by recruiting, preparing, placing, and supporting career-changing professionals who have knowledge and experience that will help them become such teachers.

"(b) PROGRAM AUTHORIZED.—

"(1) AUTHORITY.—The Secretary is authorized to use funds appropriated under paragraph (2) for each fiscal year to award grants, contracts, or cooperative agreements to institutions of higher education and public and private nonprofit agencies or organizations to carry out programs authorized by this section.

"(2) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $9,000,000 for fiscal year 2000 and such sums as may be necessary for each of fiscal years 2001 through 2004.

"(c) APPLICATION.—Each applicant that desires an award under subsection (b)(1) shall submit an application to the Secretary containing such information as the Secretary requires, including—

"(1) a description of the target group of career-changing professionals upon which the applicant will focus its recruitment efforts in carrying out its program under this section, including a description of the characteristics of that target group that shows how the knowledge and experience of its members are relevant to meeting the purpose of this section;

"(2) a description of the training that program participants will receive and how that training will relate to their certification as teachers;

"(3) a description of how the applicant will collaborate, as needed, with other institutions, agencies, or organizations to recruit, train, place, support, and provide teacher induction programs to program participants under this section, including evidence of the commitment of those institutions, agencies, or organizations to the applicant's program;

"(4) a description of how the applicant will evaluate the progress and effectiveness of its program, including—

"(A) the program's goals and objectives;

"(B) the performance indicators the applicant will use to measure the program's progress; and

"(C) the outcome measures that will be used to determine the program's effectiveness; and

"(5) such other information and assurances as the Secretary may require.

''(d) USES OF FUNDS AND PERIOD OF SERVICE.—

''(1) AUTHORIZED ACTIVITIES.—Funds under this section may be used for—

''(A) recruiting program participants, including informing them of opportunities under the program and putting them in contact with other institutions, agencies, or organizations that would train, place, and support them;

''(B) training stipends and other financial incentives for program participants, not to exceed $5,000 per participant;

''(C) assisting institutions of higher education or other providers of teacher training to tailor their training to meet the particular needs of professionals who are changing their careers to teaching;

''(D) placement activities, including identifying high-need local educational agencies with a need for the particular skills and characteristics of the newly trained program participants and assisting those participants to obtain employment in those local educational agencies; and

''(E) post-placement induction or support activities for program participants.

''(2) PERIOD OF SERVICE.—A program participant in a program under this section who completes his or her training shall serve in a high-need local educational agency for at least 3 years.

''(3) REPAYMENT.—The Secretary shall establish such requirements as the Secretary determines appropriate to ensure that program participants who receive a training stipend or other financial incentive under paragraph (1)(B), but fail to complete their service obligation under paragraph (2), repay all or a portion of such stipend or other incentive.

''(e) EQUITABLE DISTRIBUTION.—To the extent practicable, the Secretary shall make awards under this section that support programs in different geographic regions of the Nation.

''(f) DEFINITIONS.—As used in this section:

''(1) The term 'high-need local educational agency' has the meaning given such term in section 2061.

''(2) The term 'program participants' means career-changing professionals who—

''(A) hold at least a baccalaureate degree;

''(B) demonstrate interest in, and commitment to, becoming a teacher; and

''(C) have knowledge and experience that are relevant to teaching a high-need subject area in a high-need local educational agency.''.

Page 36, line 19, strike ''part,'' and insert ''part (other than section 2043),''.

Page 36, line 21, strike ''4.'' and insert ''4 (other than section 2043).''.

Page 36, line 23, strike ''part,'' and insert ''part (other than section 2043),''.

The CHAIRMAN. Pursuant to House Resolution 253, the gentleman from Indiana (Mr. ROEMER) and a Member opposed each will control 5 minutes.

Does any Member rise in opposition?

Mr. GOODLING. I am not opposed to the amendment, Mr. Chairman, but I ask to control the 5 minutes of time.

The CHAIRMAN. Without objection, the gentleman from Pennsylvania (Mr. GOODLING) will be recognized for 5 minutes.

There was no objection.

□ 1630

Mr. GOODLING. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana (Mr. ROEMER).

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

Mr. ROEMER. Mr. Chairman, it is my understanding that we now have, due to the generosity of the gentleman from Pennsylvania (Mr. GOODLING), 3 additional minutes, so that we now have 8 minutes on our side?

The CHAIRMAN. The gentleman is correct.

Mr. ROEMER. I thank the Chairman for the clarification, and I yield myself such time as I may consume.

First of all, Mr. Chairman, I just want to thank my leader on this amendment and cosponsor of this amendment and somebody who has been a tenacious and tireless advocate and very eloquent in his remarks, the gentleman from Florida (Mr. DAVIS) who has worked together with me to put this legislation together, and I want to thank him for his hard work.

Mr. Chairman, our amendment tries to be creative and bold and to address the two issues that are crucial to this bill: How do we reduce class size? How do we improve the quality of teaching in America, with the challenge of bringing in 2 million new teachers over the next 10 years?

Our bill expands on the very successful Troops to Teachers idea that was done with our military several years ago where we brought people out of the military in mid-career with technical skills and math and science skills, and taught them, through an alternative and rigorous method, how to get their teaching certificates. They are now in inner-city schools teaching math and science and doing extremely well.

The bill that I put together along with the gentleman from Florida (Mr. DAVIS) expands on this idea of Troops to Teachers and expands this into the private sector where we want to work with universities, where we want to work with businesses and not-for-profits, and we want to expand on people's dreams of becoming a teacher, and bringing real-life experiences as a doctor, as a retired police officer, as an accountant, a scientist, a researcher, from that real-life experience into the classroom.

Our bill is a competitive grant process. Our bill would allow up to $5,000 as a stipend to help train that individual to bring them into teaching, and our bill would also try to direct many of these people into high-need schools for at least 3 years. So we need 2 million teachers, it expands on the Troops to Teacher idea; it is up to a $5,000 stipend, and the recipients agree to teach in high-need areas.

So I am very excited to have this bill considered by the full House.

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

Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman has 5 minutes remaining.

Mr. ROEMER. Mr. Chairman, I am delighted to yield 3 minutes to the hard-working gentleman from Tampa Bay, Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, I rise today in support of the Roemer-Davis amendment to the Teacher Empowerment Act.

We are approaching an education crisis in our country. Over the next decade, school districts across the country will have to hire an additional 2 million teachers. In my home, Hillsborough County in Tampa, we need to hire 600 teachers alone before school starts in about 3 weeks and 7,000 teachers over the next decade. To meet this need, talented Americans of all ages and all backgrounds need to be recruited to be successful, qualified teachers.

Several years ago, Congress authorized the Troops to Teachers program at the Department of Defense. This program has been successful in recruiting and training over 3,000 men and women who have retired from the military and gone on to serve as math, science and technology teachers. The graduates of this program that I have met have demonstrated a deep commitment to their students and to their profession and have used their life experiences to relate to the young people whom they are teaching.

Due to the downsizing of our military and a shrinking pool of military retirees, we need to find other ways to address this shortage that is developing of teachers. Together with my colleague, the gentleman from Indiana (Mr. ROEMER) and 25 Democratic and Republican cosponsors, we have introduced the Transition to Teaching Act and offer an amendment today very similar to the bill.

The amendment, which is modeled after the Troops to Teachers Act, will target mid-career professionals who are looking for a career change and want to be teachers. This new program does not replace the existing Troops to Teachers program, it simply builds on its success.

We encourage professional associations, business and trade groups, unions and other organizations to follow the military's example and encourage their retiree employees to become teachers. Our amendment is intended to make sure that these men and women get the training they need to become teachers.

The Roemer-Davis amendment will help move people from the board room to the classroom, from the firehouse to the schoolhouse, from the police station on main street to the classroom on main street. Since we introduced the Transition to Teachers Act last month, I have heard from a number of people throughout Florida who have expressed support and excitement for this proposal. I heard from a woman from Tampa who spent more than 20 years as a pharmacist who is considering a career change and would like to be a teacher and sees this bill as a way to help her do that.

Mr. Chairman, the time is now for us to begin dealing with this crisis that is developing. We need to replenish the ranks of our teachers. We need our best and brightest there. We need people

whose maturity and life experience can help them reach out to the young people in our classrooms today, and I would urge adoption of the Roemer-Davis amendment.

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

Mr. Chairman, this amendment builds on current language that we have in this legislation which intends to expand the pool of highly qualified teachers through programs designed to offer alternative routes to teacher certification.

Specifically, it will assist in helping schools that are in need of highly qualified teachers in particular subject areas such as math and science by establishing networks to recruit, prepare, place and support career-changing professionals who have knowledge and experience that will help them become such teachers. In return for this assistance, these individuals would teach in high-need, local educational agencies, and as I have said over and over again all day long, the important thing is that we get well-qualified teachers, particularly in these areas of high need. I support the amendment.

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

Mr. ROEMER. Mr. Chairman, I yield 1½ minutes to the gentleman from Wisconsin (Mr. KIND), a talented member of the Committee on Education and the Workforce.

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

Mr. KIND. Mr. Chairman, I thank my friend from Indiana (Mr. ROEMER) for yielding me this time.

I want to commend both him and the gentleman from Florida (Mr. DAVIS) for offering this amendment. I rise as a strong supporter of the Transition to Teaching initiative that is being offered. I think this amendment can only improve the bill that we have been working on all day.

Mr. Chairman, schools across this country will need to hire roughly 2 million additional teachers over the next 10 years because of the impending baby boom retirement trend. Currently, over 25 percent of teachers do not have degrees in the subject areas in which they teach. To address these issues, it is imperative that we attract motivated, qualified, well-educated persons to the teaching profession.

This country has an endless pool of diverse talent that can be tapped for teaching and help fill the gap that will be created in these future years. More and more individuals in America, from a wide range of fields and with a wide range of ages are looking for ways to contribute to society in positive, meaningful ways. This amendment will help those individuals get started in a career that can give them the personal satisfaction that they seek. Regardless of the career they may be in, we should encourage individuals with real world experience to share their knowledge with our children through actual classroom instruction. This amendment will provide funding to help these people move into a new, challenging and incredibly rewarding career in the teaching profession.

Again, I would like to commend the gentleman from Indiana (Mr. ROEMER) and the gentleman from Florida (Mr. DAVIS) for the work and leadership that they have shown on this issue, and I would encourage my colleagues to adopt this amendment.

Mr. ROEMER. Mr. Chairman, I yield myself the remaining time to conclude by again thanking the gentleman from Florida (Mr. DAVIS) for his hard work, the gentleman from Wisconsin (Mr. KIND) for his words of support, and the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from California (Mr. MCKEON) for their support as well.

I would just encourage my colleagues to support this innovative and bold new idea to try to bring real-life experience and dreams of people that have always wanted to teach into the classrooms. I would also encourage in that process that we continue to look for bolder and more creative ways to work together across the aisle to bring Democratic and Republican bipartisanship to these bills.

Mr. HAYES. Mr. Chairman, I rise in support of this amendment. I especially take interest in the Troops to Teachers program. I am proud to be a sponsor of Congressman JOEL HEFLEY's bill that would reauthorize and strengthen Troops to Teachers. So often we question whether government-designed programs produce the desired effect and benefit our constituents. This program does. I read a letter printed in the Fayetteville (N.C.) Observer-Times in which a constituent of mine wrote in asking for more information about Troops to Teachers. I am submitting for the record a letter I wrote to the newspaper praising this program. Mr. Chairman, this program works and I cannot think of a better way for the men and women in uniform to continue their service to our country after they have completed their active duty.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 19, 1999.

The Editorial Page EDITOR,
The Fayetteville Observer-Times,
Fayetteville, NC.

DEAR EDITOR: I am writing in response to a letter on the Live Wire, Thursday, July 15 regarding the Department of Defense Troops to Teacher Program. I was happy to see there is interest in such a valuable program.

One of the most pressing challenges facing our country is recruiting, training and retaining high quality teachers for our public schools. While many proposals have been suggested to help attract new teachers, this program in particular has been highly successful in bringing qualified teachers into the classrooms. Troops to Teachers assists our men and women in uniform in identifying teaching certification programs and employment opportunities after they have fulfilled their serve to their country.

Troops to Teachers has helped over 3,000 active duty soldiers enter our nation's classrooms and make significant contributions to our schools. There military personnel-turned teachers have established a solid reputation as dedicated and effective educators, who bring unique, real-world experiences to the classroom.

I am a proud cosponsor of the Troops to Teachers Improvement Act of 1999, introduced by Congressman Joel Hefley (R–CO). This bill will re-authorize and strengthen its successful program through 2004. I cannot think of a better way for these qualified and well trained men and women to continue serving their country after they have left the military.

Please feel free to contact our office with any comment or concerns that you may have on Troops to Teachers (or any other issue). You can contact our Washington office at 202/225–3715, and our office here in the 8th district can be reached toll-free at 888/207–1311.

Sincerely,

ROBIN HAYES,
Member of Congress.

Mr. ROEMER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Indiana (Mr. ROEMER).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 10 printed in House report 106–240.

AMENDMENT NO. 10 OFFERED BY MRS. MINK OF HAWAII

Mrs. MINK of Hawaii. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mrs. MINK of Hawaii:

Page 40, line 24, before the semicolon insert ''and redesignating part E as part D''.

Page 40, strike line 25 and insert the following:

(2) by inserting after section 2260 the following:

''PART C—USE OF SABBATICAL LEAVE FOR PROFESSIONAL DEVELOPMENT

''SEC. 2301. GRANTS FOR SALARY DURING SABBATICAL LEAVE.

''(a) PROGRAM AUTHORIZED.—The Secretary may make grants to State educational agencies and local educational agencies to pay such agencies for one-half of the amount of the salary that otherwise would be earned by an eligible teacher described in subsection (b), if, in lieu of fulfilling the teacher's ordinary teaching assignment, the teacher completes a course of study described in subsection (c) during a sabbatical term described in subsection (d).

''(b) ELIGIBLE TEACHERS.—An eligible teacher described in this subsection is a teacher who—

''(1) is employed by an agency receiving a grant under this section to provide classroom instruction to children at an elementary or secondary school that provides free public education;

''(2) has secured from such agency, and any other person or agency whose approval is required under State law, approval to take sabbatical leave for a sabbatical term described in subsection (d);

''(3) has submitted to the agency an application for a subgrant at such time, in such manner, and containing such information as the agency may require, including—

''(A) written proof—

''(i) of the approval described in paragraph (2); and

''(ii) of the teacher's having been accepted for enrollment in a course of study described in subsection (c); and

''(B) assurances that the teacher—

''(i) will notify the agency in writing within a reasonable time if the teacher terminates enrollment in the course of study described in subsection (c) for any reason;

''(ii) in the discretion of the agency, will reimburse to the agency some or all of the amount of the subgrant if the teacher fails to complete the course of study; and

''(iii) otherwise will provide the agency with proof of having completed such course of study not later than 60 days after such completion; and

''(4) has been selected by the agency to receive a subgrant based on the agency's plan for meeting its classroom needs.

''(c) COURSE OF STUDY.—A course of study described in this subsection is a course of study at an institution of higher education that—

''(1) requires not less than one academic semester and not more than one academic year to complete;

''(2) is open for enrollment for professional development purposes to an eligible teacher described in subsection (b); and

''(3) is designed to improve the classroom teaching of such teachers through academic and child development studies.

''(d) SABBATICAL TERM.—A sabbatical term described in this subsection is a leave of absence from teaching duties granted to an eligible teacher for not less than one academic semester and not more than one academic year, during which period the teacher receives—

''(1) one-half of the amount of the salary that otherwise would be earned by the teacher, if the teacher had not been granted a leave of absence, from State or local funds made available by a State educational agency or a local educational agency; and

''(2) one-half of such amount from Federal funds received by such agency through a grant under this section.

''(e) PAYMENTS.—

''(1) TO ELIGIBLE TEACHERS.—In making a subgrant to an eligible teacher under this section, a State educational agency or a local educational agency shall agree to pay the teacher, for tax and administrative purposes, as if the teacher's regular employment and teaching duties had not been suspended.

''(2) REPAYMENT OF SECRETARY.—A State educational agency or a local educational agency receiving a grant under this section shall agree to pay over to the Secretary the Federal share of any amount recovered by the agency pursuant to subsection (b)(3)(B)(ii).

''(f) FUNDING.—For the purpose of carrying out this section, there are authorized to be appropriated $200,000,000 for fiscal year 2000 and such sums as may be necessary for fiscal years 2001 through 2004.''; and

The CHAIRMAN. Pursuant to House Resolution 253, the gentlewoman from Hawaii (Mrs. MINK) and a Member opposed each will control 5 minutes.

Mr. GOODLING. Mr. Chairman, I rise in opposition.

The CHAIRMAN. The gentleman from Pennsylvania (Mr. GOODLING) will control 5 minutes.

The gentlewoman from Hawaii (Mrs. MINK) is recognized for 5 minutes.

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, we have heard a great deal today about the importance of quality in terms of our teachers. The need for their education, for their upgrading, for their continuing education and development in order to make sure that our children benefit from the highest quality education that this Nation can afford, I do not think anyone disputes.

But if we read this legislation and we listen to the debate, what they are talking about is the need to find new teachers to meet the 2 million teacher demand that everyone talks about. In this bill have mentoring programs, we have alternative teaching projects. We have new ways of implementing the licensing process. But there is no real concrete method by which we can address the specific problem of 25 percent of our incumbent teachers not being qualified in the subject matter area which they find themselves teaching.

What are we going to do about this 25 percent of our incumbent teachers, and the 2 million teachers that we need to attract into the profession and those that we need to retain?

My amendment goes to the very heart of that issue. It is not a mandate; it is an option to States that have a serious problem with a lack of qualified teachers. We need to enable our teachers with the opportunity to enroll in full time academic training.

The bill that the majority has brought forth says that they are not for short-term workshops or conferences or 1-day exhibits. The testimony of teachers will tell us that those are not adequate; and therefore, if we are really serious about quality education, we need to make sure that teachers have the opportunity to go to the academies, to the institutions of higher learning and get the qualifying education they need.

So, Mr. Chairman, I rise today to urge my colleagues to support my Teacher Sabbatical amendment to H.R. 1995, the Teacher Empowerment Act.

My amendment will give teachers the opportunity to receive intensive professional development training. This amendment creates a program to provide grants for public school teachers who take sabbatical leave to pursue a course of study for professional development. The grant covers one-half of the salary the teacher would have earned if the teacher had not been granted a leave of absence; the state must provide the other half of the salary. Teachers are eligible if they have been approved for sabbatical leave and if they have enrolled in a course of study at an institution of higher education designed to improve classroom teaching.

By providing teachers with financial resources, they will be free to pursue an intensive course of study that can greatly improve their teaching skills. Professional development is essential to improve teacher quality. However, our teachers will never get the development training they need to stay on top of their field from a one-day workshop.

This need for intensive professional development training is not foreign to the bill. H.R. 1995 contains language that requires professional development programs ''be of sufficient intensity and duration (such as not to include 1-day or short term workshops and conferences) to have a positive and lasting impact on the teacher's performance in the classroom.''

This language is wonderful. But we must do more than talk about the need for intensive development programs; we must create programs that ensure our teachers can participate in these programs.

My amendment does this. It gives teachers the opportunity to improve and grow. By creating a grant program that will cover a teacher's salary on sabbatical leave, teachers will have the chance to pursue a course of study that can greatly improve their teaching skills.

All teachers want to be on top of their field. However, only a few can give up their salary as they pursue this.

Recent findings also show the need for intensive professional development. Although 99% of our teachers have participated in at least one professional development activity in the past year, only 12% of teachers who spent only 1–8 hours in professional development said it improved their teaching a lot.

That is a dismal figure. It proves that we will never be able to improve teacher quality if we continue to provide only one-day workshops for teachers. We must do more. We must work to provide teachers with intensive professional development, so all of our teachers feel professional development improves their teaching.

Teacher quality is essential. Studies have shown that the more qualified a teacher is, the better the students' performance will be.

For instance, in Boston, students assigned to the most effective teachers for a year showed 18 times greater gains in reading and nearly 16 time greater gains in math than those students who were assigned to the least effective teachers.

In Tennessee, similar students with 3 very effective teachers in a row scored 50 percentile points better than students who were assigned 3 very ineffective teachers in a row.

All of our students deserve to achieve these same gains.

By providing teachers with the opportunity to receive intensive professional development, my amendment will help put more effective, qualified teachers in the classroom.

I urge my colleagues to support this amendment.

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

Mr. Chairman, oh, it is so much more pleasant when I can be on the same side as the gentlewoman from Hawaii.

Mrs. MINK of Hawaii. Mr. Chairman, if the gentleman will yield, we have been on a number of occasions, and I hope that this will be another.

Mr. GOODLING. Mr. Chairman, in this particular case, I would plead with my colleagues not to go down this very, very slippery slope.

Let me tell my colleagues a little bit about sabbaticals, in case we are not familiar with sabbaticals. In the State of Pennsylvania, for instance, after one teaches 10 years, one can request a sabbatical. Now, they have given up fighting sabbaticals and they just give them to them and they do anything under the sun, not necessarily to improve their classroom teaching. But let me tell my colleagues about the cost.

We are giving a $40,000 teacher a sabbatical. In the State of Pennsylvania,

the school district must pay half of that salary while they are on sabbatical. That is $20,000. The school district must pay full fringe benefits to that teacher on sabbatical. So let us say another $4,000. Now we are up to $24,000.

□ 1645

Now the school district must replace that teacher, and let us say that is another $30,000, so now we are up to $70,000. And then they must provide full fringe benefits to that replacement teacher for that period of time, so now we are up to $73,000 or $74,000. That is just for one teacher.

Make sure that Members understand, in this legislation if a district believes that that is the best way to use their money, to improve the quality of the teacher, that is what they can do. That is what it allows. That is why we are trying to tell Members, do not just get hooked on the $100,000, get hooked on quality. If this is what they want to do, that is exactly what they can do.

But do not get us involved in trying to do this. When it starts out it is not a mandate, it is just an encouragement, and Members know how all of those go, eventually.

I would surely hope that all of my colleagues would not go down this slippery slope. We have already taken care of it in the legislation, if that is what the local district wants to do to improve the quality of their teachers.

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

Mrs. MINK of Hawaii. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. OWENS).

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

Mr. OWENS. Mr. Chairman, this amendment goes to the heart of the problem of trying to get quality teachers. We have had a series of motherhood and apple pie amendments that we all agree on. They would be good, but here is one that costs money, and the very fact that it costs money gets opposition.

For every other profession, the legal profession, the medical profession, airline pilots, tremendous amounts of money are spent to train and retrain people in these professions.

Lawyers make enough money, the law firms make enough money, they pay for their own training, but there is ongoing training. Doctors make enough money to pay for their training, but they are always being trained and retrained, and tremendous amounts of money go into it.

Once every 10 years to give a sabbatical and pay those costs that were quoted by the chairman of the committee; that is not too much, if we are serious about achieving a pool of people where we can maintain quality.

The quality problem is a problem not only of attracting new people into the teaching field, but the problem is to hold those that are already there. A person with educational credentials teaches a few years; other professions and other entrepreneurial enterprises are seeking their experiences, and large numbers of people are leaving.

We are addressing the working conditions when we talk about the President's initiative on small class sizes. If we had smaller classes, a large number of the young people who have gone into teaching; at the elementary school level would not have left. Everybody knows people who have gone into teaching, elementary schoolteachers who confront a classroom full of children, 25 to 30, and in a year or so they are gone. They cannot take it anymore. There are options and they take those options.

So we are addressing a serious working condition. This is an incentive. A part of the package ought to be an incentive that after 7 years, 10 years, whatever, they should be able to get the kind of training they need to keep up with some of the educational technology we talked about before, and many other changes are happening. This incentive is needed. If we want quality teachers, we should support this. We need to pay for the continuing education of quality teachers if we want them.

Mr. GOODLING. Mr. Chairman, I yield 1½ minutes to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I thank the chairman for yielding time to me.

In opposing this amendment, I think he is absolutely correct. We allow school districts who believe that sabbaticals are important and want to supplement their existing funds to do so. But it is really important to remember, and we cannot repeat this enough, this is not an appropriations bill, this is an authorizing bill. This is where we set policy. To say we are setting aside new money for this is in fact not true. It sets a cap for it, but the Committee on Appropriations will have to then subdivide.

All afternoon we have been listening to people come to the floor from the other side who oppose the bill that say, oh, we are taking things from class size reduction. We have been arguing that local school districts ought to have the flexibility, between class size reduction, special ed teachers, and teacher quality, and let them make that decision.

The other side has been arguing, at least up until now, that this money should be used for class size reduction, but this amendment would in fact take money, as a practical matter, because this is an authorizing bill, not an appropriations bill.

When the appropriators say, oh, it is new grant money, a grant program, the money would have to come out from somewhere. Presumably it is going to come from the class size reduction and the teacher training, because we do not have the ability in this bill to spend new money. That is an appropriations decision. So I am kind of confused as to what the priorities are here, because that is the net impact.

The plain truth of the matter is that, as the chairman so eloquently said, any school district who wants to use this money for teacher training during a period of sabbatical can do so. The only fundamental debate here is, are we going to say that Washington says they must use it for a sabbatical out of limited funds, rather than that they may use it for sabbatical.

Mrs. MINK of Hawaii. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Chairman, last year 99 percent of our teachers participated in at least one professional development activity. But Mr. Chairman, too many of those activities are piecemeal, a day here, a couple of hours there. In fact, only 12 percent of the teachers who participated in limited professional development activities said that they improved their teaching. What a shame. What a shame for those teachers and what a shame for their students.

The Mink amendment treats teachers as the professionals they are by providing enough time to become great teachers, having time off to learn more, to upgrade their skills, to come back to the classroom ready to teach with more than they knew before they left in the first place.

I urge my colleagues to support teacher sabbaticals. Support the Mink amendment.

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

The CHAIRMAN pro tempore (Mr. EWING). The question is on the amendment offered by the gentlewoman from Hawaii (Mrs. MINK).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mrs. MINK of Hawaii. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 253, further proceedings on the amendment offered by the gentlewoman from Hawaii (Mrs. MINK) will be postponed.

It is now in order to consider amendment No. 11 printed in House Report 106–240.

AMENDMENT NO. 11 OFFERED BY MR. CROWLEY

Mr. CROWLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. CROWLEY:

Page 42, after line 10, insert the following:

SEC. 5. SENSE OF CONGRESS.

It is the sense of the Congress that high quality teachers are an important part of the development of our children and it is essential that Congress work to ensure that the teachers who instruct our children are of the highest quality possible.

The CHAIRMAN pro tempore. Pursuant to House Resolution 253, the gentleman from New York (Mr. CROWLEY) and a Member opposed each will control 5 minutes.

Mr. GOODLING. Mr. Chairman, I am not opposed, but I ask unanimous consent that 5 minutes be controlled by myself.

The CHAIRMAN pro tempore. Without objection, the gentleman from Pennsylvania (Mr. GOODLING) will control the 5 minutes in opposition.

There was no objection.

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

Mr. Chairman, I rise today to offer an amendment to H.R. 1995 that supports and lauds our Nation's teachers. While I have deep reservations over the underlying bill, I recognize the important role of Congress in helping our teachers. Teachers touch the lives of every single American child and help shape their future.

My amendment is quite simple. It expresses the sense of this Congress that high quality teachers are an important part of the development of our children, and that it is essential that Congress work to ensure that the teachers who instruct our children are of the highest quality possible.

I support recruitment and retention of the best and brightest of teachers, especially for our neediest children. In my district in New York City, we have a very high turnover rate for our teachers, as well as some of the most overcrowded conditions in the country. In fact, a recent survey by my Office of Public Schools shows that the average class size ranges between 29 and 35 students.

Mr. Chairman, I have one school in my district that has 50 kindergarten children in one classroom, in a normal sized classroom, with two teachers. Imagine that, the strain on those teachers. We can only imagine the lack of quality education those children are receiving.

Additionally, in the 1996–1997 school year the Board of Education hired approximately 6,200 teachers. However, the same year, listen to this, 5,415 teachers left the system. Of those, only 515 actually retired. The New York City public school system, a system that educates over 1 million children, lost nearly as many teachers as it hired in the same year. I am sure many communities around the country face similar situations.

The teachers who I have met touring schools in my district are the most dedicated and passionate individuals I have encountered in my life, despite the overcrowded classrooms, the low pay, and sometimes unsafe conditions that they have to co-exist in within their schools.

It is my desire to recognize these teachers with this amendment, and laud their efforts, and the impact on our children's lives.

Mr. Chairman, as it pertains to the bill as a whole, although my amendment and other amendments improve the overall bill, it still leaves it far short of the needs of my constituents. But Mr. Chairman, it is important to me, as I am sure it is important to the chairman, to recognize the effort and high quality of our teachers. I ask the support of all my colleagues in doing so. I hope they will join me in praising our teachers, recognizing their importance, and pledging to assist in the recruitment and retention of high quality teachers.

I would also thank the gentleman from Massachusetts (Mr. MOAKLEY) for offering my amendment before the Committee on Rules, as well as the Committee on Rules for reporting the Crowley amendment.

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

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

Mr. Chairman, obviously, I strongly support the amendment, since it is what I have said over and over and over and over again 100 times today. This amendment shows that Congress supports high quality teachers. This amendment shows that high quality teachers are the most important influence over our children, second only to parents.

The amendment says the teachers instructing our children must be of the highest quality possible. Amen, amen, and amen.

Mr. CROWLEY. Mr. Chairman, I yield 1½ minutes to my colleague, the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I thank the gentleman for yielding time to me.

I fully support the quality amendment. It is a very, very important amendment. I applaud the gentleman for it.

But I am also in support of another amendment. Today's debate on the House floor echoes with the concepts of empowerment and mobilization. However, I charge that the definitions of these terms as they appear in H.R. 1995 are heavily misguided. Empowering teachers means allocating $1 billion more than H.R. 1995, investing in thousands of new teachers, and shrinking the size of our Nation's classrooms. Empowering teachers means providing teachers with the resources, conditions, and training which will enable them to do the best job educating our Nation's youth.

Empowering teachers does not mean robbing Peter to pay Paul. We can provide funding for new teachers and special education training. This definition of empowerment does not change from one school district to another, but remains universal in all of our local school systems. We must move forward and mobilize all of our schools so we create an even educational playing field for all of our children in this country.

Mr. CROWLEY. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. GOODLING. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New York (Mr. CROWLEY).

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

Mr. GOODLING. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 253, further proceedings on the amendment offered by the gentleman from New York (Mr. CROWLEY) will be postponed.

The point of no quorum is considered withdrawn.

□ 1700

The CHAIRMAN pro tempore (Mr. EWING). It is now in order to consider amendment No. 12 printed in House Report 106–240.

AMENDMENT NO. 12 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. MARTINEZ

Mr. MARTINEZ. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment No. 12 in the nature of a substitute offered by Mr. MARTINEZ:

Strike out all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Smart Classrooms Act''.

SEC. 2. SMART CLASSROOMS.

(a) IN GENERAL.—Title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) is amended—

(1) by striking the heading for title II and inserting the following:

"TITLE II—SMART CLASSROOMS";

(2) by striking sections 2001 through 2003;

(3) by striking parts A, B, and D;

(3) by redesignating part C as part D; and

(4) by inserting after the title heading the following:

"PART A—QUALIFIED TEACHERS IN EVERY CLASSROOM

"Subpart 1—Findings; Purpose; Authorization of Appropriations

"SEC. 2001. FINDINGS.

''The Congress finds as follows:

''(1) All students can learn and achieve to high standards.

''(2) States that have shown the most success in improving student achievement are those that have developed challenging content and student performance standards, have aligned curricula and assessments with those standards, have prepared educators to teach to those standards, and have held schools accountable for the achievement of all students against those standards.

''(3) Increased teachers' knowledge of academic content and effective teaching skills is associated with increases in student achievement. While other factors also influence learning, teacher quality makes a critical difference in how well students learn, across all categories of students. For example, recent research has found that teachers'

expertise has a greater impact on students' achievement in reading than any other in-school factor.

''(4) A crucial component of an effective strategy for achieving high standards is ensuring, through professional development, that all teachers provide their students with challenging learning experiences in the core academic subjects.

''(5) Recent research has found that teachers who participate in sustained curriculum-centered professional development are much more likely to report that their teaching is aligned with high standards than are teachers who have not received such training.

''(6) Research has found that high-quality professional development is—

''(A) linked to high standards: professional development activities should improve the ability of teachers to help all students, including females, minorities, children with disabilities, children with limited English proficiency, and economically disadvantaged children, reach high State academic standards;

''(B) focused on content: professional development activities should advance teacher understanding of 1 or more of the core academic subject areas and effective instructional strategies for improving student achievement in those areas;

''(C) collaborative: professional development activities should involve collaborative groups of teachers, principals, administrators, and other school staff from the same school or district;

''(D) sustained: professional development activities should be of sufficient duration to have a positive and lasting impact on classroom instruction and, to the greatest extent possible, should include follow-up and school-based support such as coaching or study groups;

''(E) embedded in a plan: professional development activities should be embedded in school and district-wide plans designed to raise student achievement to State academic standards; and

''(F) informed by research: professional development activities should be based on the best available research on teaching and learning.

''(7) Students who attend schools with large numbers of poor children are less likely to be taught by teachers who have met all State requirements for certification or licensure or who have a solid academic background in the subject matter they are teaching.

''(8) Despite the fact that every year the Nation's colleges and universities produce many more teachers than are hired and that over 2,000,000 individuals who possess education degrees are currently engaged in activities other than teaching, many school districts experience difficulty recruiting and hiring enough fully qualified teachers. Among the reasons researchers have found for districts hiring less than fully qualified teachers are—

''(A) cumbersome and poorly coordinated State licensing procedures and local hiring practices;

''(B) the lack of reciprocity of teacher credentials, pensions, and credited years of experience across State and school district lines;

''(C) a lack of support for new teachers, such as high-quality mentoring programs, that can help reduce the attrition rate and the number of new teachers that school districts must hire every year; and

''(D) compensation systems that do not adequately reward teachers for improving their knowledge and skills.

''SEC. 2002. PURPOSE.

''The purpose of this part is to support the improvement of classroom instruction, so that all students are able to achieve to challenging State content and student performance standards in the core academic subjects, by providing assistance to State and local educational agencies in their efforts to recruit and retain a fully qualified instructional staff by—

''(1) supporting States and local educational agencies in continuing the task of developing challenging content and student performance standards and aligned assessments, revising curricula and teacher certification requirements, and using challenging content and student performance standards to improve teaching and learning;

''(2) assisting high-poverty local educational agencies and low-performing local educational agencies that have the greatest difficulty in recruiting and retaining fully qualified teachers;

''(3) supporting States and local educational agencies, in partnerships with institutions of higher education, to recruit and retain teachers in subject areas in which the State has determined there to be a shortage of teachers;

''(4) ensuring that all instructional staff have the subject matter knowledge and teaching skills necessary to teach effectively in all subjects in which they provide instruction;

''(5) providing assistance to new teachers during their first 3 years in the classroom; and

''(6) ensuring that teachers, principals, administrators, and other school staff have access to professional development that is aligned with challenging State content and student performance standards in the core academic subjects.

''SEC. 2003. AUTHORIZATION OF APPROPRIATIONS.

''(a) SUBPART 2.—For the purpose of carrying out subpart 2, there are authorized to be appropriated $1,500,000,000 for fiscal year 2000, $1,875,000,000 for fiscal year 2001, $2,250,000,000 for fiscal year 2002, $2,625,000,000 for fiscal year 2003, and $3,000,000,000 for fiscal year 2004.

''(b) SUBPART 3.—For the purpose of carrying out subpart 3, there are authorized to be appropriated $40,000,000 for fiscal year 2000 and such sums as may be necessary for each of fiscal years 2001 through 2004.

''Subpart 2—State and Local Activities

''SEC. 2011. ALLOCATIONS TO STATES.

''(a) IN GENERAL.—In the case of each State that in accordance with section 2013 submits to the Secretary an application for a fiscal year, and has that application approved under section 2013(c), the Secretary shall make a grant for the year to the State for the uses specified in section 2012. The grant shall consist of the allocation determined for the State under subsection (b) or (c).

''(b) RESERVATION OF FUNDS.—From the amount made available to carry out this subpart for any fiscal year, the Secretary shall reserve—

''(1) ½ of 1 percent to provide assistance to the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be distributed among these outlying areas on the basis of their relative need, as determined by the Secretary in accordance with the purpose of this part; and

''(2) ½ of 1 percent for the Secretary of the Interior for activities under this subpart for teachers, principals, administrators, and other school staff in schools operated or funded by the Bureau of Indian Affairs.

''(c) STATE ALLOCATIONS.—

''(1) IN GENERAL.—After reserving funds under subsection (b), the Secretary shall allocate the remaining amount made available to carry out this subpart for any fiscal year among the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico as follows:

''(A) 50 percent of such amount shall be allocated among such States on the basis of their relative populations of individuals aged 5 through 17, as determined by the Secretary on the basis of the most recent satisfactory data.

''(B) 50 percent of such amount shall be allocated among such States in proportion to the number of children, aged 5 to 17, who reside within the State from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data are available, compared to the number of such individuals who reside in all such States for that fiscal year.

''(2) MINIMUM ALLOCATION.—No State receiving an allocation under paragraph (1) may receive less than ¼ of 1 percent of the total amount made available to carry out this subpart for any fiscal year and not reserved under subsection (b).

''SEC. 2012. WITHIN-STATE ALLOCATIONS.

''(a) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—

''(1) IN GENERAL.—Each State receiving a grant under this subpart shall expend at least 92 percent of the amount of the funds provided under the grant for the purpose of making subgrants to local educational agencies as follows:

''(A) subject to paragraph (2), 80 percent of such amount shall be allocated as follows:

''(i) 60 percent shall be allocated among local educational agencies having an approved application under section 2017 in proportion to the number of children, aged 5 to 17, who reside within the jurisdiction served by the agency from families with incomes below the poverty line (as defined by the Office of Management and Budget as revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data are available, compared to the number of such children who reside in all such jurisdictions for that fiscal year.

''(ii) 40 percent shall be allocated among local educational agencies having an approved application under section 2017 on the basis of their relative populations of children aged 5 to 17, as determined by the Secretary on the basis of the most recent satisfactory data.

''(B) 20 percent of such amount shall be used to provide additional funds to local educational agencies, and partnerships described in section 2016(b)(1), having an approved application under section 2018 in accordance with such section.

''(2) MINIMUM AMOUNT.—Notwithstanding paragraph (1)(A), a local educational agency may not receive an allocation under such paragraph for any fiscal year that is less than its allocation for fiscal year 1999 under section 2203(1) of this Act (as in effect on the day before the date of the enactment of the Smart Classrooms Act). If the amount available for allocations under paragraph (1)(A) is insufficient to satisfy the preceding sentence, each allocation under such paragraph shall be ratably reduced.

''(b) SUBGRANTS TO PARTNERSHIPS.—Each State receiving a grant under this subpart shall expend at least 2 percent of the amount of the funds provided under the grant for the purpose of making subgrants to partnerships under section 2016.

''(c) STATE-LEVEL ACTIVITIES.—Each State receiving a grant under this part may expend

not more than 6 percent of the amount of the funds provided under the grant for one or more of the State-level activities described in section 2015.

''(d) ADMINISTRATION AND EVALUATIONS.—Subject to section 2023, each State receiving a grant under this subpart or part C shall expend not more than ⅙ of its allocation under subsection (c) for—

''(1) its costs of administering this subpart and part C;

''(2) evaluations of the effectiveness of activities under this subpart and part C, including effectiveness as measured using the indicators of program performance described in section 2451; and

''(3) reports required under section 2208, if the State receives funds under part C.

''SEC. 2013. STATE APPLICATION.

''(a) APPLICATIONS REQUIRED.—

''(1) IN GENERAL.—Each State desiring to receive its allocation under this subpart shall submit, through its State educational agency, an application to the Secretary at such time, in such form, and containing such information as the Secretary reasonably may require.

''(2) CONSULTATION.—The State educational agency shall develop the State application—

''(A) in consultation with the State agency for higher education, community-based and other nonprofit organizations of demonstrated effectiveness in professional development, and institutions of higher education; and

''(B) with the extensive participation of teachers, teacher educators, school administrators, and content specialists.

''(b) CONTENTS.—Each such application shall include the following:

''(1) A description of how the State educational agency will use all funds received under this subpart to implement State plans or policies that support comprehensive standards-based education reform through the following strategies:

''(A) Supporting the alignment of curricula and assessments with challenging State content and student performance standards.

''(B) Supporting local educational agencies in their efforts to recruit and retain fully qualified teachers, with special consideration given to recruiting highly qualified teachers from minority and other historically underrepresented groups, including bilingual teachers.

''(C) Ensuring that teachers employed by local educational agencies are proficient in content knowledge and teaching skills in all subjects in which they provide instruction.

''(D) Providing professional development, aligned with State content and student performance standards, in core academic subjects.

''(2) A plan for ensuring that all teachers teaching in schools served under this part are fully qualified not later than November 1, 2003.

''(3) An assurance that teacher aides or other paraprofessionals who are not fully qualified teachers provide instruction to students only under the direct and immediate supervision of a fully qualified teacher, and have received the professional development necessary to perform their duties.

''(4) A description of the process the State educational agency will use to make competitive awards to local educational agencies under section 2018, including a description of—

''(A) the State's criteria for classifying local educational agencies as among those having the greatest need for services provided under this subpart and its justification for those criteria;

''(B) the State's strategies for ensuring that local educational agencies that have historically had little success in competing for funds are provided a reasonable opportunity compete for subgrants;

''(C) the State's criteria for determining the amounts that it will award to recipients and the criteria for providing noncompetitive renewals of subgrants; and

''(D) the technical assistance that the State educational agency will provide, under section 2018(e)(2), to local educational agencies that it identifies as having the greatest need for services and that fail to receive an award under section 2018.

''(5) A description of how the State educational agency will ensure that all recipients of funds under this subpart will report on their level of performance based on the program performance indicators described in section 2451.

''(6) A list of any additional indicators of program performance, beyond those described in section 2451, on which the State educational agency and the State agency for higher education will require recipients to report.

''(7) A set of specific, numerical, annual goals for each of the performance indicators required under section 2451 and for any additional indicators that the State elects to use for measuring the progress of the State and local educational agencies receiving funds under this subpart.

''(8) A description of how the State will coordinate professional development activities authorized under this subpart with professional development activities provided under other Federal, State, and local programs, including those authorized under title I, title III, title IV, part A of title VII, and (where applicable) the Individuals with Disabilities Education Act and the Carl D. Perkins Vocational and Technical Education Act. The application shall also describe the comprehensive strategy that the State will take as part of such coordination effort, to ensure that teachers are trained in the utilization of technology so that technology and its applications are effectively used in the classroom to improve teaching and learning in all curriculum and content areas, as appropriate.

''(c) APPROVAL.—The Secretary shall, using a peer-review process, approve a State application if it meets the requirements of this section and holds reasonable promise of achieving the purpose described in section 2002.

''SEC. 2014. STATE ACCOUNTABILITY.

''(a) ANNUAL REPORTS.—Each State educational agency that receives funds under this subpart and part C shall, beginning in fiscal year 2002, annually compile, publish, submit to the Secretary, and distribute to the public, a report including the following information:

''(1) The percentage of teachers teaching in the State who have not met State qualifications and licensing criteria for the grade levels and subject areas in which they provide instruction.

''(2) The percentage of teachers teaching in the State under emergency or other provisional status through which State qualifications or licensing criteria have been waived.

''(3) The percentage of teachers teaching in the State who do not hold a postsecondary degree with a major in the subject areas in which they provide instruction.

''(4) The average class size.

''(5) The percentage of teachers with certification from the National Board for Professional Teaching Standards.

''(6) Information on the progress of recipients of subgrants under this subpart, measured based on the program performance indicators described in section 2041 and any additional indicators included in the State's application.

''(7) Student achievement.

''(8) Such other information as the Secretary may reasonably require.

''(b) DISAGGREGATED DATA.—

''(1) IN GENERAL.—Data collected for the purpose of carrying out this section shall be disaggregated by State, local educational agency, and school.

''(2) DATA ON STUDENT ACHIEVEMENT.—Data collected for the purpose of carrying out subsection (a)(7) shall also be disaggregated by the following:

''(A) Gender.

''(B) Each major racial and ethnic group.

''(C) English proficiency status.

''(D) Students with disabilities as compared to nondisabled students.

''(E) Economically disadvantaged students as compared to students who are not economically disadvantaged.

''SEC. 2015. STATE-LEVEL ACTIVITIES.

''Each State shall use funds it reserves under section 2012(c) to carry out activities described in its approved application that promote high-quality classroom instruction, such as—

''(1) supporting the continued improvement of State content and student performance standards and assessments aligned with those standards;

''(2) providing technical assistance and other services to increase the capacity of local educational agencies and schools to develop and implement systemic local improvement plans, implement State and local assessments, and develop curricula consistent with State content and performance standards;

''(3) supporting the development and implementation, at the local educational agency and school-building level, of improved systems for recruiting, selecting, hiring, mentoring, supporting, evaluating, and rewarding principals and fully qualified teachers;

''(4) redesigning and strengthening professional licensure systems for educators;

''(5) developing performance-based assessment systems for full teacher licensure;

''(6) establishing, expanding, or improving rigorous alternative routes to State certification or licensure that lead to certification within 2 years and require applicants to meet the same standards and pass the same tests as other applicants;

''(7) developing or strengthening assessments to test the content knowledge and teaching skills of new teachers;

''(8) developing and implementing professional development opportunities for teachers, principals, administrators, and other school staff based on State content and student performance standards;

''(9) operating a teacher academy that establishes and demonstrates models for local educational agencies to improve teaching and learning through activities such as—

''(A) using master teachers to mentor and train student teachers; and

''(B) providing ongoing professional development opportunities and support for teachers;

''(10) providing professional development programs that enable teachers to effectively communicate with parents in the education process to support classroom instruction and work effectively with parent volunteers;

''(11) executing policies and practices that will ensure that low-income and minority students are not taught by emergency certified or unqualified teachers at rates higher than other students; and

''(12) increasing the portability of teacher pensions and reciprocity of teaching credentials across State lines.

''SEC. 2016. SUBGRANTS TO PARTNERSHIPS.

''(a) ADMINISTRATION.—From the funds made available to it under section 2012(b) for

any fiscal year, a State agency for higher education may use not more than 5 percent for its expenses in administering this section, including conducting evaluations and reporting under subsection (g).

''(b) SUBGRANTS TO PARTNERSHIPS.—

''(1) IN GENERAL.—

''(A) PARTNERSHIPS.—For the purpose of providing professional development to elementary and secondary school teachers in a local educational agency that is both a high-poverty local educational agency and a low-performing local educational agency, a State agency for higher education, subject to subsection (a) and in conjunction with the State educational agency, shall use the funds made available to it under section 2012(b) for any fiscal year to make subgrants to partnerships consisting of—

''(i) one or more institutions of higher education (including historically Black colleges and universities and Hispanic-serving institutions), or nonprofit organizations of demonstrated effectiveness in providing professional development in the core academic subjects; and

''(ii) a local educational agency that is both a high-poverty local educational agency and a low-performing local educational agency, or more than one such agency.

''(B) REQUIREMENT FOR INSTITUTIONS OF HIGHER EDUCATION.—Participating institutions of higher education shall meet the criteria under section 203(a)(2)(A)(i) of the Higher Education Act of 1965.

''(2) SIZE, DURATION, AND PEER REVIEW.—Each subgrant under this section shall be—

''(A) of sufficient size and duration to carry out the purpose of this subpart effectively; and

''(B) awarded, using a peer-review process, on a competitive basis.

''(3) PRIORITY.—In making subgrants under this section, a State agency for higher education shall give a priority to projects that focus on induction programs for new teachers.

''(4) OTHER FACTORS.—In making subgrants under this section, a State agency for higher education shall consider—

''(A) the need for the proposed professional development activities in the jurisdiction of the local educational agency; and

''(B) the quality of the proposed program and its likelihood of success in improving classroom instruction and student academic achievement.

''(c) PARTNERSHIP AGREEMENTS.—No institution of higher education or nonprofit organization may receive a subgrant under this section unless it enters into a written agreement with at least one local educational agency that is both a high-poverty local educational agency and a low-performing local educational agency to provide professional development to elementary and secondary school teachers in the schools of that agency in the core academic subjects. Each such agreement shall identify specific goals for how the professional development that the subgrantee provides will enhance the ability of those teachers to prepare all students, including females, minorities, students with disabilities, students with limited English proficiency, and economically disadvantaged students, to achieve to challenging State content and student performance standards in all subjects in which those teachers provide instruction.

''(d) COORDINATION.—Any professional development activities carried out under this section by a partnership shall be coordinated with activities carried out under title II of the Higher Education Act of 1965 (20 U.S.C. 1021 et seq.), if any member of the partnership is participating in programs funded under that title.

''(e) JOINT EFFORTS WITHIN INSTITUTIONS OF HIGHER EDUCATION.—In the case of a partnership that includes an institution of higher education, each activity assisted under this section shall involve the joint effort of the institution's school or department of education and the schools or departments responsible for the specific disciplines in which the professional development will be provided.

''(f) USES OF FUNDS.—A recipient of funds under this section shall use those funds for—

''(1) research-based programs to assist new teachers during their first 3 years in the classroom, which may include—

''(A) mentoring and coaching by appropriately trained and certified teachers;

''(B) team teaching with experienced teachers;

''(C) observation by, and consultation with, experienced teachers and higher education faculty;

''(D) assignment of fewer course preparations; and

''(E) provision of additional time for preparation;

''(2) professional development in the core academic subjects, aligned with State content and student performance standards, for teams of teachers from a school or local educational agency and, where appropriate, principals, administrators, and other school staff; and

''(3) providing technical assistance to school and local educational agency staff for planning, implementing, and evaluating professional development.

''(g) ANNUAL REPORTS.—

''(1) IN GENERAL.—Beginning with fiscal year 2002, each subgrantee under this section shall submit an annual report to the State agency for higher education, by a date set by that agency, on its progress, as measured using the indicators of partnership performance described in section 2041.

''(2) CONTENT.—Each such report—

''(A) shall include a copy of each written agreement required by subsection (c); and

''(B) shall describe how the partners have collaborated to achieve the specific goals set out in the agreement, and the results of that collaboration.

''(3) COPY.—The State agency for higher education shall provide the State educational agency with a copy of each subgrantee's annual report.

''(h) SPECIAL RULE.—No single participant in a partnership receiving a subgrant under this section may retain more than 50 percent of the funds made available to the partnership under this section.

''SEC. 2017. LOCAL APPLICATIONS FOR FORMULA SUBGRANTS.

''(a) APPLICATION REQUIRED.—Each local educational agency desiring to receive its allocation from funds made available under section 2012(a)(1)(A) for any fiscal year shall submit an application to the State educational agency at such time, in such form, and containing such information as the State educational agency reasonably may require. Each such application shall include an agency-wide plan for raising student achievement against State standards through each of the following strategies:

''(1) Supporting the alignment of curricula, assessments, classroom instructional strategies, and professional development with challenging State content and student performance standards.

''(2) Carrying out activities to recruit fully qualified teachers, particularly in subject areas and in schools in which there is a shortage of such teachers with special consideration given to recruiting fully qualified teachers from minority and other historically underrepresented groups, including bilingual teachers.

''(3) Ensuring that teachers employed by the local educational agency are proficient in teaching skills and in the content knowledge necessary to effectively teach the content called for by State and local standards in all subjects in which they provide instruction and are prepared to integrate technology into the classroom.

''(4) Targeting funds to schools within the jurisdiction of the local educational agency that—

''(A) have the highest proportion of teachers who are not fully qualified;

''(B) have the largest average class size; or

''(C) are identified for school improvement under section 1116(c).

''(5) Carrying out activities to assist new teachers during their first 3 years in the classroom.

''(6) Providing professional development in core academic subjects.

''(b) ADDITIONAL CONTENTS.—Each such application shall also—

''(1) identify specific, measurable goals for achieving the purpose described in section 2002 that, at a minimum, reflect the performance indicators described in section 2041;

''(2) describe how the local educational agency will use funds received under this subpart to help implement the plan described in subsection (a);

''(3) include an assurance that the local educational agency will collect data that measure progress toward the indicators of program performance described in section 2041;

''(4) describe how the local educational agency will address the needs of high-poverty, low-performing schools within its jurisdiction;

''(5) describe how the local educational agency will address the needs of teachers of students with limited English proficiency and other students with special needs;

''(6) describe how the local educational agency will meet the professional development needs of its principals and teachers; and

''(7) describe how the local educational agency will coordinate funds under this subpart with the professional development activities funded through other State and Federal programs.

''(c) APPROVAL.—Notwithstanding section 2012(a)(1)(A), a State educational agency shall approve a local educational agency's application under this section only if the application satisfies the requirements of this section and the State educational agency determines that the application holds reasonable promise of achieving the purpose described in section 2002.

''(d) CONSOLIDATED APPLICATION.—Local educational agencies may consolidate applications under this section and section 2018.

''SEC. 2018. LOCAL APPLICATIONS FOR COMPETITIVE SUBGRANTS.

''(a) IN GENERAL.—Each State educational agency shall use the funds described in section 2012(A)(1)(B) for competitive grants to local educational agencies, and partnerships described in section 2016(b)(1), that focus primarily on those agencies and partnerships with the greatest need for—

''(1) activities related to the development, and effective implementation, of curricula aligned with state content and student performance standards; and

''(2) professional development activities that are aligned with those standards.

''(b) SELECTION PROCESS.—

''(1) IN GENERAL.—The State educational agency shall award subgrants under this section through a peer-review process that includes reviewers who are knowledgeable in the academic content areas.

''(2) PUBLIC AVAILABILITY.—The State educational agency—

''(A) shall provide local educational agencies and the general public with a list of the

selection criteria that the State educational agency will use in making subgrants under this section; and

''(B) at the completion of the awards process, make public a complete list of applicants and of the applicants that received awards.

''(c) DEMONSTRATION OF NEED.—The State educational agency shall identify the applicants with the greatest need for services, based on the following objective data supplied by the applicant:

''(1) The number or percentage of children who fail to meet State performance standards on assessments used for part A of title I.

''(2) The number or percentage of schools identified for school improvement under section 1116(c).

''(3) The number or percentage of teachers employed who have not received full State certification or licensure.

''(4) The number or percentage of secondary school teachers who do not have an academic major in a subject area directly related to the area in which they provide instruction.

''(5) The number or percentage of students living in poverty.

''(6) The number or percentage of students who have limited English proficiency.

''(7) The applicant's fiscal capacity to fund programs described in section 2019 without Federal assistance.

''(d) SELECTION OF SUBGRANTEES.—The State educational agency shall make awards to applicants based on—

''(1) the quality of the applicant's proposal and the likelihood of its success in improving classroom instruction and student academic achievement;

''(2) the demonstrated need of the applicant under subsection (c); and

''(3) the applicant's need for professional development in mathematics and science.

''(e) OPPORTUNITY TO COMPETE.—

''(1) STRATEGIES.—To ensure that local educational agencies that have the greatest need are provided a reasonable opportunity to complete for an award, State educational agencies shall adopt at least one of the following strategies:

''(A) Holding more than one competition for funds for a fiscal year and, before each such competition, providing technical assistance in developing a high-quality application to local educational agencies that have demonstrated the greatest need but were unsuccessful in the previous grant competition.

''(B) Holding a competition restricted to local educational agencies that it has identified under subsection (c) as having the greatest need for services.

''(C) Requiring recipients seeking a renewal of a subgrant under this section to form a partnership with an applicant that applied for, but failed to receive, such a subgrant.

''(D) Providing a competitive priority to those local educational agencies the State educational agency has identified under subsection (c) as having the greatest need for services.

''(2) TECHNICAL ASSISTANCE.—At a minimum, a State educational agency shall, after the completion of an award cycle and before the start of the next cycle, provide technical assistance in developing a high-quality application for future competitions to any local educational agency identified under subsection (c) as having the greatest need for services that did not receive a subgrant.

''(f) SCOPE OF PROJECTS.—The State educational agency shall award a subgrant under this section only for projects that are of sufficient size, scope, and quality to achieve the purpose of this part.

''SEC. 2019. USES OF FUNDS.

''(a) PRIORITY FOR PROFESSIONAL DEVELOPMENT IN MATHEMATICS AND SCIENCE.—

''(1) APPROPRIATION EQUAL TO OR LESS THAN $300,000,000.—Except as provided in section 2020(d), in any fiscal year for which the amount appropriated for this subpart is $300,000,000 or less, each local educational agency shall ensure that all funds received by the agency under this subpart are used for professional development in mathematics and science.

''(2) APPROPRIATION GREATER THAN $300,000,000.—Except as provided in section 2020(d), in any fiscal year for which the amount appropriated for this subpart is greater than $300,000,000, each local educational agency shall ensure that the amount of funds under this subpart that the agency uses for professional development in mathematics and science is at least as much as the amount that would have been made available to the agency if the amount appropriated had been $300,000,000.

''(3) INTERDISCIPLINARY ACTIVITIES.—In meeting the requirement under paragraph (1) or (2), a local educational agency may use funds under this subpart for activities that focus on more than one core academic subject if those activities focus predominantly on improving instruction in mathematics or science.

''(4) WAIVER.—

''(A) APPLICATION.—A local educational agency, in consultation with teachers and principals, may seek a waiver of the requirements under paragraph (1) or (2) from a State in order to allow the local educational agency to use such funds for professional development in academic subjects other than mathematics and science.

''(B) STANDARD FOR GRANTING.—A State may not approve such a waiver unless the local educational agency is able to demonstrate that—

''(i) the professional development needs of mathematics and science teachers, including elementary teachers responsible for teaching mathematics and science, have been adequately met and will continue to be adequately met if the waiver is approved;

''(ii) State assessments in mathematics and science demonstrate that each school within the local educational agency has made and will continue to make progress toward meeting the challenging State content standards and student performance standards in these areas; and

''(iii) State assessments in other academic subjects demonstrate a need to focus on subjects other than mathematics and science.

''(C) GRANDFATHER OF OLD WAIVERS.—A waiver provided to a local educational agency under part D of title XIV prior to the date of the enactment of the Smart Classrooms Act shall be deemed effective until such time as it otherwise would have ceased to be effective.

''(b) OTHER PROFESSIONAL DEVELOPMENT ACTIVITIES.—Each local educational agency shall ensure that funds under this subpart that the agency uses for professional development, in areas other than mathematics or science, are used to provide professional development activities in one or more of the other core academic subjects.

''(c) OTHER USES OF FUNDS.—Subject to subsection (a), a local educational agency that receives funds under this subpart may use those funds for activities to raise student achievement against challenging State standards, in accordance with its plan described in section 2017(a), which may include the following:

''(1) Activities to recruit fully qualified teachers, including teachers from historically underrepresented groups, such as the provision of signing bonuses and other financial incentives.

''(2) Providing the necessary education and training, including paying (for programs that meet the criteria under section 203(b)(2)(A)(i) of the Higher Education Act of 1965 (20 U.S.C. 1023(b)(2)(A)(i))) the costs of college tuition and other student fees to assist current teachers or other school personnel who are not fully qualified teachers to become fully qualified, except that, to receive funds under this paragraph, an individual must be within 2 years of completing an undergraduate degree and must agree to teach in a high-poverty, low-performing school for a period of at least 3 years.

''(3) Programs to assist new teachers during their first 3 years in the classroom, such as—

''(A) mentoring and coaching by trained mentor teachers;

''(B) team teaching with experienced teachers;

''(C) observation by, and consultation with, experienced teachers and higher education faculty;

''(D) assignment of fewer course preparations; and

''(E) provision of additional time for preparation.

''(4) Provision of professional development aligned with State content and student performance standards.

''(5) Provision of professional development programs that enable teachers to effectively communicate with parents and involve parents in the educational process to support classroom instruction and to work effectively with parent volunteers.

''(6) Participation by teams of teachers in summer institutes and summer immersion activities that focus on preparing teachers to bring all students to high standards in one or more of the core academic subjects.

''(7) Subsidizing fees for teachers who participate in the assessment process of the National Board for Professional Teaching Standards.

''(8) Teacher participation in working groups, task forces, or committees, charged with adapting and implementing high standards for all students, including district-wide and school-based teams of teachers charged with aligning curricula and lesson plans with State content and student performance standards and assessments.

''(9) Programs to implement peer-assistance peer-review processes for teachers, principals, administrators, and other school staff.

''(10) Establishment and maintenance of local professional networks that provide a forum for interaction among teachers and that allow for the exchange of information on advances in content and pedagogy.

''(11) Development of incentives to encourage teachers employed by the agency, and other qualified individuals, to obtain proficiency in content knowledge in a core academic subject area identified by the agency as having a shortage of qualified teachers.

''(12) Development and acquisition of curricular materials and other instructional aids, if they are not normally provided by the local educational agency or the State as part of the regular instructional program, that will advance local reform efforts to raise student achievement against State content and student performance standards.

''(13) Providing increased opportunities for minorities, individuals with disabilities, and other individuals underrepresented in the teaching profession.

''SEC. 2020. LOCAL ACCOUNTABILITY.

''(a) ANNUAL REPORTS.—Each local educational agency that receives funds under this subpart shall, beginning in fiscal year

2002, annually compile, publish, and submit to the State educational agency a report on its activities under this subpart, at such time, in such form, and containing such information as the State educational agency may reasonably require.

''(b) CONTENTS.—Each report shall include the following information:

''(1) The percentage of teachers teaching in the jurisdiction of the agency who have not met State qualifications and licensing criteria for the grade levels and subject areas in which they provide instruction.

''(2) The percentage of teachers teaching in the jurisdiction of the agency under emergency or other provisional status through which State qualifications or licensing criteria have been waived.

''(3) The percentage of teachers teaching in the jurisdiction of the agency who do not hold a postsecondary degree with a major in the subject areas in which they provide instruction.

''(4) The average class size.

''(5) Information on the progress of schools and teachers under this subpart, measured based on the program performance indicators described in section 2041 and any additional indicators included in the local educational agency's application.

''(6) Student achievement.

''(7) Such other information as the State educational agency may reasonably require.

''(c) DISAGGREGATED DATA.—

''(1) IN GENERAL.—Data collected for the purpose of carrying out this section shall be disaggregated by local educational agency and school.

''(2) DATA ON STUDENT ACHIEVEMENT.—Data collected for the purpose of carrying out subsection (b)(6) shall also be disaggregated by the following:

''(A) Gender.

''(B) Each major racial and ethnic group.

''(C) English proficiency status.

''(D) Students with disabilities as compared to nondisabled students.

''(E) Economically disadvantaged students as compared to students who are not economically disadvantaged.

''(d) FUNDING.—A local educational agency may reserve up to 5 percent of the amount it receives under section 2012(a)(1)(A) to carry out this section.

''SEC. 2021. PARENTS' RIGHT TO KNOW.

''Each local educational agency that receives funds under this subpart shall provide, upon request, to any parent of a student attending any school receiving funds under this subpart, in an understandable and uniform format, information regarding the professional qualifications of the student's teacher, including—

''(1) whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;

''(2) whether the teacher is teaching under emergency or other provisional status through which the State qualifications or licensing criteria have been waived;

''(3) the college major of the teacher and any other graduate certification or degree held by the teacher, and the field or discipline of the certificate or degree; and

''(4) the school or local educational agency's hiring policy.

''SEC. 2022. TECHNICAL ASSISTANCE.

''The State educational agency shall provide technical assistance to local educational agencies receiving a subgrant under this subpart that fail for 2 consecutive years to meet their goals, as measured using the performance indicators described in section 2041.

''SEC. 2023. CORRECTIVE ACTION.

''The State educational agency shall take corrective action, against any local educational agency that does not make sufficient effort to comply with this subpart within the time specified. In a case in which a State fails to take corrective action, the Secretary shall withhold funds from such State up to an amount equal to that described in section 2012(d).

''SEC. 2024. MAINTENANCE OF EFFORT.

''No funds may be provided to a local educational agency for a fiscal year under this subpart unless the State educational agency is satisfied that the local educational agency will spend, from other sources, at least as much for activities described in this subpart as the average amount it spent from other sources for those activities over the previous 3 fiscal years.

''SEC. 2025. EQUIPMENT AND TEXTBOOKS.

''A local educational agency may not use subgrant funds under this subpart for equipment, computer hardware, textbooks, telecommunications fees, or other items, that would otherwise be provided by the local educational agency, the State, or a private school whose students receive services under this part.

''SEC. 2026. SUPPLEMENT, NOT SUPPLANT.

''A local educational agency that receives funds under this subpart shall use those funds only to supplement the amount of funds or resources that would, in the absence of those Federal funds, be made available from non-Federal sources for the purposes of the program authorized under this subpart, and not to supplant those non-Federal funds or resources.

''Subpart 3—National Activities for the Improvement of Teaching and School Leadership

''SEC. 2031. ACTIVITIES OF NATIONAL SIGNIFICANCE.

''(a) IN GENERAL.—The Secretary may make grants to, and enter into contracts and cooperative agreements with, local educational agencies, educational service agencies, State educational agencies, State agencies for higher education, institutions of higher education, and other public and private nonprofit agencies, organizations, and institutions to carry out subsection (b).

''(b) ACTIVITIES.—The Secretary—

''(1) may support activities of national significance that are not supported through other sources and that the Secretary determines will contribute to the improvement of teaching and school leadership in the Nation's schools, such as—

''(A) supporting collaborative efforts by States, or consortia of States, to review and benchmark the quality, rigor, and alignment of State standards and assessments;

''(B) supporting collaborative efforts by States, or consortia of States, to develop performance-based systems for assessing content knowledge and teaching skills prior to full teacher licensure;

''(C) efforts to increase the portability of teacher pensions and reciprocity of teaching credentials across State lines; and

''(D) research, evaluation, and dissemination activities related to effective strategies for increasing the portability of teachers' credited years of experience across State and local educational agency lines;

''(2) may support activities of national significance that the Secretary determines will contribute to the recruitment and retention of fully qualified teachers and principals in high-poverty local educational agencies and low-performing local educational agencies, such as—

''(A) providing States with assistance in the development of alternative certification programs that lead to certification within 2 years and require applicants to meet the same standards and pass the same tests as other applicants;

''(B) the development and implementation of a national teacher recruitment clearinghouse and job bank, which shall be coordinated and, to the extent feasible, integrated with the America's Job Bank administered by the Secretary of Labor—

''(i) to disseminate information and resources nationwide on entering the teaching profession to persons interested in becoming teachers;

''(ii) to serve as a national resource center for effective practices in teacher recruitment and retention;

''(iii) to link prospective teachers to local educational agencies and training resources with particular attention to high-poverty local educational agencies and low-performing local educational agencies with critical teacher shortages; and

''(iv) to provide information and technical assistance to prospective teachers about certification and other State and local requirements related to teaching; and

''(C) the development and implementation, or expansion, of programs that recruit talented individuals to become principals, including such programs that employ alternative routes to State certification, and that prepare both new and experienced principals to serve as instructional leaders, which may include the creation and operation of a national center for the preparation and support of principals as leaders of school reform; and

''(3) may support the National Board for Professional Teaching Standards.

''SEC. 2032. PROFESSIONAL DEVELOPMENT FOR PRINCIPALS AS LEADERS OF SCHOOL REFORM.

''(a) COMPETITIVE GRANTS.—The Secretary may reserve not more than 5 percent of the amount appropriated under section 2003(b) for competitive grants to eligible partnerships—

''(1) consisting of—

''(A) one or more institutions of higher education that provide professional development for principals and other school administrators; and

''(B) one or more local educational agencies; and

''(2) that may include other entities, agencies, and organizations, such as a State educational agency, a State agency for higher education, or professional organizations for principals, administrators, teachers, and parents.

''(b) APPLICATION.—An eligible partnership that desires to receive a grant under this section shall submit an application at such time, in such form, and containing such information as the Secretary may require. Each such application shall include—

''(1) a description of the activities the partnership will carry out to meet the purpose of this part;

''(2) a description of how those activities will build on and be coordinated with other professional development activities, including activities under this title and title II of the Higher Education Act of 1965;

''(3) a description of how principals, teachers, and other interested parties were involved in developing the application and will be involved in planning and carrying out the activities under this section; and

''(4) a description of how the professional development will result in the acquisition of a license, degree, or continuing education unit.

''(c) USE OF FUNDS.—An eligible partnership that receives a grant under this section shall use the grant funds to provide professional development to principals and other school administrators to enable them to be effective school leaders and prepare all students to achieve to challenging State content and student performance standards, including professional development on—

''(1) comprehensive school reform;

''(2) leadership skills;

''(3) recruitment, assignment, retention and evaluation of teacher and other instructional staff;

''(4) State content standards;

''(5) effective instructional practice;

''(6) using smaller classes effectively; and

''(7) parental and community involvement.

''SEC. 2033. SCHOOL TECHNOLOGY CENTERS.

''(a) COMPETITIVE GRANTS.—The Secretary may reserve not more than 5 percent of the amount appropriated under section 2003(b) for competitive grants to eligible partnerships consisting of—

''(1) one or more institutions of higher education;

''(2) one or more technology-deficient local educational agencies or schools;

''(3) one or more technology-proficient local educational agencies or schools; and

''(4) such other entities, agencies, and organizations, such as a State educational agency, a State agency for higher education, nonprofit organizations, or businesses, as the partners described in paragraphs (1), (2), and (3) determine to be appropriate.

''(b) APPLICATION.—An eligible partnership that desires to receive a grant under this section shall submit an application at such time, in such form, and containing such information as the Secretary may require. Each such application shall include—

''(1) a description of the activities the partnership will carry out under this section;

''(2) a description of how the partners will work together to build the capacity to use technology to improve teaching and learning in the partners described in subsection (a)(2); and

''(3) a description of the goals of each partner and how progress toward those goals will be measured.

''(c) USE OF FUNDS.—An eligible partnership that receives a grant under this section shall use the grant funds to develop or expand a technology center serving the partners described in subsection (a)(2).

''SEC. 2034. EISENHOWER NATIONAL CLEARINGHOUSE FOR MATHEMATICS AND SCIENCE EDUCATION.

''(a) ESTABLISHMENT OF CLEARINGHOUSE.—The Secretary shall award a competitive grant or contract to establish the Eisenhower National Clearinghouse for Mathematics and Science Education (hereafter in this section referred to as the 'Clearinghouse').

''(b) AUTHORIZED ACTIVITIES.—

''(1) APPLICATION AND AWARD BASIS.—

''(A) IN GENERAL.—Each entity desiring to establish and operate the Clearinghouse shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(B) PEER REVIEW.—The Secretary shall establish a peer review process to make recommendations on the recipient of the award for the Clearinghouse.

''(C) MERIT.—The Secretary shall make the award for the Clearinghouse on the basis of merit.

''(2) DURATION.—The Secretary shall award the grant or contract for the Clearinghouse for a period of 5 years.

''(3) ACTIVITIES.—The award recipient shall use the award funds to—

''(A) maintain a permanent collection of such mathematics and science education instructional materials and programs for elementary and secondary schools as the Secretary finds appropriate, with a priority for such materials and programs that have been identified as promising or exemplary, through a systematic approach such as the use of expert panels required under the Educational Research, Development, Dissemination, and Improvement Act of 1994;

''(B) disseminate the materials and programs described in paragraph (1) to the public, State educational agencies, institutions of higher education, local educational agencies, and schools (particularly high-poverty, low-performing schools), including through the maintenance of an interactive national electronic information management and retrieval system accessible through the Worldwide Web and other advanced communications technologies;

''(C) coordinate with other databases containing mathematics and science curriculum and instructional materials, including Federal, non-Federal, and, where feasible, international databases;

''(D) support the development and dissemination of model professional development materials in mathematics and science education;

''(E) contribute materials or information, as appropriate, to other national repositories or networks; and

''(F) gather qualitative and evaluative data on submissions to the Clearinghouse, and disseminate that data widely, including through the use of electronic dissemination networks.

''(4) SUBMISSION TO CLEARINGHOUSE.—Each Federal agency or department that develops mathematics or science education instructional materials or programs, including the National Science Foundation and the Department, shall submit copies of that material and those programs to the Clearinghouse.

''(5) STEERING COMMITTEE.—The Secretary may appoint a steering committee to recommend policies and activities for the Clearinghouse.

''(6) APPLICATION OF COPYRIGHT LAWS.—

''(A) IN GENERAL.—Nothing in this section shall be construed to allow the use or copying, in any medium, of any material collected by the Clearinghouse that is protected under the copyright laws of the United States unless the permission of the owner of the copyright is obtained.

''(B) COMPLIANCE.—In carrying out this section, the Clearinghouse shall ensure compliance with title 17 of the United States Code.

''SEC. 2035. DISSEMINATION OF INFORMATION ON RESEARCH-BASED PROFESSIONAL DEVELOPMENT.

''The Secretary shall gather and disseminate information related to comprehensive, research-based professional development, in the core academic subjects other than math and science, including business.

''SEC. 2036. SCHOOL COUNSELING PROGRAM.

''(a) IN GENERAL.—The Secretary may award grants under this section to establish or expand elementary and secondary school counseling programs.

''(b) PRIORITY.—In awarding grants under this section, the Secretary shall give special consideration to applications describing programs that—

''(1) demonstrate the greatest need for new or additional counseling services among the children in the elementary and secondary schools served by the applicant;

''(2) propose the most promising and innovative approaches for initiating or expanding elementary and secondary school counseling; and

''(3) show the greatest potential for replication and dissemination.

''SEC. 2037. HOLOCAUST EDUCATION.

''(a) COMPETITIVE GRANTS.—The Secretary may reserve not more than 5 percent of the amount appropriated under section 2003(b) for competitive grants to eligible Holocaust educators to carry out activities described in this section.

''(b) APPLICATIONS.—To be eligible to receive a grant under this section, an eligible Holocaust educator shall submit an application to the Secretary at such time, in such form, and containing such information as the Secretary may reasonably require and contain a specific and detailed description of the Holocaust education program for which the grant will be used.

''(c) USE OF FUNDS.—A Holocaust educator receiving a grant under this section shall use such grant to carry out a Holocaust education program that—

''(1) has as its specific and primary purpose the improvement in awareness and understanding of the Holocaust among elementary and secondary school students; and

''(2) to achieve such purpose, furnishes at a school or Holocaust education center—

''(A) 1 or more classes, seminars, or conferences;

''(B) educational materials;

''(C) teaching training; and

''(D) any good or service designed to improve awareness and understanding of the Holocaust.

''SEC. 2038. RURAL TEACHERS.

''(a) COMPETITIVE GRANTS.—The Secretary may reserve not more than 5 percent of the amount appropriated under section 2003(b) for competitive grants to eligible rural local educational agencies to carry out activities described under this section.

''(b) APPLICATIONS.—To be eligible to receive a grant under this section, an eligible rural local educational agency shall submit an application to the Secretary at such time, in such form, and containing such information as the Secretary may reasonably require.

''(c) USE OF FUNDS.—An eligible rural local educational agency that receives a grant under this section may use such funds to develop incentive programs—

''(1) to recruit and retain fully qualified teachers; and

''(2) to provide high quality professional development to teachers.

''PART B—TRANSITION OF CAREER-CHANGING PROFESSIONALS TO TEACHING; TROOPS TO TEACHERS

''SEC. 2101. FINDINGS.

''The Congress finds as follows:

''(1) School districts will need to hire more than 2,000,000 teachers during the first decade of the 21st century.

''(2) The need for teachers in the areas of math, science, foreign languages, special education, and bilingual education, and for teachers able to teach in high-poverty school districts, will be particularly high. To meet this need, talented Americans of all ages should be recruited to become successful, qualified teachers.

''(3) Nearly 13 percent of teachers of academic subjects have neither an undergraduate major nor minor in their main assignment fields. This problem is most acute in high-poverty local educational agencies, where the out-of-field teaching percentage is 22 percent.

''(4) The Third International Math and Science Study (TIMSS) ranked United States high school seniors last among 16 countries in physics and next to last in math. It is also evident, mainly from the TIMSS data, that based on academic scores, a stronger emphasis needs to be placed on the academic preparation of our children in math and science.

''(5) One-fourth of high-poverty local educational agencies find it very difficult to fill bilingual teaching positions, and nearly half of public school teachers have students in their classrooms for whom English is a second language.

''(6) Many career-changing professionals with strong content-area skills are interested in a teaching career, but they need assistance in getting the appropriate pedagogical training and classroom experience.

''(7) The teacher placement program known as the 'troops-to-teachers program', which was established by the Secretary of Defense and the Secretary of Transportation under section 1151 of title 10, United States Code, has been highly successful in securing high-quality teachers for teaching positions in high-poverty local educational agencies.

''SEC. 2102. PURPOSE.

''The purpose of this part is to address the need of local educational agencies that are high-poverty local educational agencies or low-performing local educational agencies for fully qualified teachers in particular subject areas, such as mathematics, science, foreign languages, bilingual education, and special education, by—

''(1) continuing and enhancing the troops-to-teachers program for recruiting and supporting the placement of former members of the Armed Forces as teachers in such local educational agencies; and

''(2) recruiting, preparing, placing, and supporting career-changing professionals who have knowledge and experience that will help them become such teachers.

''SEC. 2103. CONTINUATION AND SUPPORT FOR TROOPS-TO-TEACHERS PROGRAM.

''(a) CONTINUATION.—The Secretary may enter into a written agreement with the Secretary of Defense and the Secretary of Transportation, or take such other steps as the Secretary determines are appropriate, to ensure effective continuation of the troops-to-teachers program, notwithstanding the duration of the program specified in section 1151(c)(1)(A) of title 10, United States Code.

''(b) SUPPORT.—Before providing any assistance under section 2104 for a fiscal year, the Secretary shall first—

''(1) consult with the Secretary of Defense and the Secretary of Transportation regarding the appropriate amount of funding needed to continue and enhance the troops-to-teachers program; and

''(2) upon agreement, transfer that amount to the Secretary of Defense to carry out the troops-to-teachers program.

''SEC. 2104. TRANSITION OF CAREER-CHANGING PROFESSIONALS TO TEACHING.

''(a) AUTHORITY TO SUPPORT TRANSITION PROGRAMS.—The Secretary may use funds appropriated pursuant to the authorization of appropriations in section 2108 to award grants to, and enter into contracts or cooperative agreements with, institutions of higher education, including historically Black colleges and universities and Hispanic-serving institutions, and public and private nonprofit agencies or organizations to recruit, prepare, place, and support career-changing professionals as teachers in local educational agencies that are high-poverty local educational agencies or low-performing local educational agencies.

''(b) APPLICATION.—Each entity described in subsection (a) that desires assistance under subsection (a) shall submit an application to the Secretary containing such information as the Secretary may require, including—

''(1) a description of the target group of career-changing professionals upon which the applicant will focus in carrying out its program under this part, including a description of the characteristics of that target group that shows how the knowledge and experience of its members are relevant to meeting the purpose of this part;

''(2) a description of how the applicant will identify and recruit career-changing professionals for its program under this part;

''(3) a description of the training that career-changing professionals will receive in the program and how that training will relate to their certification as teachers;

''(4) a description of how the applicant will ensure that career-changing professionals are placed and teach in high-poverty local educational agencies or low-performing local educational agencies;

''(5) a description of the teacher induction services (which may be provided through existing induction programs) that the career-changing professionals in the program will receive throughout at least their first year of teaching;

''(6) a description of how the applicant will collaborate, as needed, with other institutions, agencies, or organizations to recruit, train, place, and support career-changing professionals under this part, including evidence of the commitment of those institutions, agencies, or organizations to the applicant's program;

''(7) a description of how the applicant will evaluate the progress and effectiveness of its program, including—

''(A) the program's goals and objectives;

''(B) the performance indicators the applicant will use to measure the program's progress; and

''(C) the outcome measures that will be used to determine the program's effectiveness; and

''(8) an assurance that the applicant will provide to the Secretary such information as the Secretary determines necessary to determine the overall effectiveness of programs under this part.

''SEC. 2105. USES OF FUNDS AND PERIOD OF SERVICE.

''(a) AUTHORIZED ACTIVITIES.—Funds provided under section 2104 may be used for—

''(1) recruiting career-changing professionals, including informing them of opportunities under the program and putting them in contact with other institutions, agencies, or organizations that would train, place, and support them;

''(2) training stipends and other financial incentives for career-changing professional in the program, such as moving expenses, not to exceed $5,000, in the aggregate, per participant;

''(3) assisting institutions of higher education or other providers of teacher training to tailor their training to meet the particular needs of career-changing professionals;

''(4) placement activities, including identifying high-poverty, low-performing local educational agencies with needs for the particular skills and characteristics of the newly trained career-changing professionals and assisting those persons to obtain employment in those local educational agencies; and

''(5) post-placement induction or support activities.

''(b) PERIOD OF SERVICE.—A career-changing professional selected to participant in a program under this part who completes his or her training shall serve in a high-poverty local educational agency or a low-performing local educational agency for at least three years.

''(c) REPAYMENT.—The Secretary shall establish such requirements as the Secretary determines appropriate to ensure that career-changing professionals who receive a training stipend or other financial incentive under subsection (a)(2), but who fail to complete their service obligation under subsection (b), repay all or a portion of such stipend or other incentive.

''SEC. 2106. EQUITABLE DISTRIBUTION.

''To the extent practicable, the Secretary shall make awards and enter into contracts and cooperative agreements under section 2104 to support teacher placement programs for career-changing professionals in different geographic regions of the United States.

''SEC. 2107. AUTHORIZATION OF APPROPRIATIONS.

''For the purpose of carrying out this part, there is authorized to be appropriated to the Secretary $18,000,000 for each of fiscal years 2001 through 2005.

''PART C—CLASS SIZE REDUCTION

''SEC. 2201. FINDINGS.

''The Congress finds as follows:

''(1) Rigorous research has shown that students attending small classes in the early grades make more rapid educational progress than students in larger classes, and that these achievement gains persist through at least the elementary grades.

''(2) The benefits of smaller classes are greatest for lower achieving, minority, poor, and inner-city children. One study found that urban fourth-graders in smaller-than-average classes were 3/4 of a school year ahead of their counterparts in larger-than-average classes.

''(3) Teachers in small classes can provide students with more individualized attention, spend more time on instruction and lesson other tasks, cover more material effectively, and are better able to work with parents to further their children's education.

''(4) Smaller classes allow teachers to identify and work more effectively with students who have learning disabilities and, potentially, can reduce those students' need for special education services in the later grades.

''(5) Students in smaller classes are able to become more actively engaged in learning than their peers in large classes.

''(6) Efforts to improve educational achievement by reducing class sizes in the early grades are likely to be more successful if—

''(A) well-prepared teachers are hired and appropriately assigned to fill additional classroom positions; and

''(B) teachers receive intensive, continuing training in working effectively in smaller classroom settings.

''(7) Several States have begun a serious effort to reduce class sizes in the early elementary grades, but these actions may be impeded by financial limitations or difficulties in hiring well-prepared teachers.

''(8) The Federal Government can assist in this effort by providing funding for class-size reductions in grades 1 through 3, and by helping to ensure that the new teachers brought into the classroom are well prepared.

''SEC. 2202. PURPOSE.

''The purpose of this part is to help States and local educational agencies recruit, train, and hire 100,000 additional fully qualified teachers over a 7-year period in order to—

''(1) reduce class sizes nationally, in grades 1 through 3, to an average of 18 students per classroom; and

''(2) improve teaching in the early grades so that all students can learn to read independently and well by the end of the third grade.

''SEC. 2203. PROGRAM AUTHORIZED.

''(a) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this part, there are authorized to be appropriated, $1,500,000,000 for fiscal year 2000, $1,800,000,000 for fiscal year 2001, $2,100,000,000 for fiscal year 2002, $2,400,000,000 for fiscal year 2003, $2,700,000,000 for fiscal year 2004, and $3,000,000,000 for fiscal year 2005.

''(b) ALLOTMENTS.—From the amount appropriated under subsection (a) for a fiscal year, the Secretary—

''(1) shall make a total of 1 percent available to the Secretary of the Interior (on behalf of the Bureau of Indian Affairs) and the outlying areas for activities that meet the purpose of this part; and

''(2) shall allot to each State the same percentage of the remaining funds as the percentage it received of funds allocated to States for the previous fiscal year under section 1122 or section 2011(c) (or, as applicable, section 2202(b) (as in effect on the day before the date of the enactment of the Smart Classrooms Act)), whichever percentage is greater, except that such allotments shall be ratably decreased as necessary.

''(c) WITHIN-STATE DISTRIBUTION.——

''(1) IN GENERAL.—Each State that receives an allotment under this section shall distribute the amount of the allotted funds that remain after using funds in accordance with subsection (b)(3) to local educational agencies in the State, of which—

''(A) 80 percent of such remainder shall be allocated to such local educational agencies in proportion to the relative number of children, aged 5 to 17, who reside in the jurisdiction served by such local educational agency and are from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved) for the most recent fiscal year for which satisfactory data is available compared to the number of such individuals who reside in the jurisdictions served by all the local educational agencies in the State for that fiscal year; and

''(B) 20 percent of such remainder shall be allocated to such local educational agencies in accordance with the relative enrollments of children, aged 5 to 17, in public and private nonprofit elementary schools and secondary schools in the jurisdictions within the boundaries of such agencies.

''(2) AWARD RULE.—Notwithstanding paragraph (1), if the award to a local educational agency under this section is less than the starting salary for a new teacher in that agency, the State shall not make the award unless—

''(A) the local educational agency agrees to form a consortium with not less than 1 other local educational agency for the purpose of reducing class size;

''(B) the local educational agency agrees to supplement the award with non-Federal funds sufficient to pay the cost of hiring a teacher; or

''(C) the local educational agency agrees to use the funds for professional development related to teaching smaller classes.

''SEC. 2204. USE OF FUNDS.

''(a) IN GENERAL.—Each local educational agency that receives funds under this part shall use such funds to carry out effective approaches to reducing class size with fully qualified teachers to improve educational achievement for both regular and special-needs children, with particular consideration given to reducing class size in the early elementary grades for which research has shown class size reduction is most effective.

''(b) CLASS REDUCTION.—

''(1) IN GENERAL.—Each such local educational agency may pursue the goal of reducing class size through—

''(A) recruiting, hiring, and training fully qualified regular and special education teachers and teachers of special-needs children;

''(B) testing new teachers for academic content knowledge, and to meet the State qualifications and licensing criteria in the areas in which they teach; and

''(C) providing professional development to teachers, including special education teachers and teachers of special-needs children.

''(2) RESTRICTION(S).—A local educational agency may use not more than a total of 15 percent of the funds received under this part for each of the fiscal years 2000 through 2005, to carry out activities described in subparagraphs (B) and (C) of section 2204(b)(1).

''(3) SPECIAL RULE.—A local educational agency that has already reduced class size in the early grades to 18 or fewer children may use funds received under this part—

''(A) to make further class-size reductions in grades 1 through 3;

''(B) to reduce class size in kindergarten or other grades; or

''(C) to carry out activities to improve teacher quality, including providing—

''(i) professional development;

''(ii) financial incentives to new or veteran fully qualified teachers to join the instructional staff of schools in which at least 50 percent of the students are from low-income families; and

''(iii) financial incentives to fully qualified teachers who are currently teaching in schools in which at least 50 percent of the students are from low-income families.

''(4) RECRUITMENT.—In order to ensure that it hires only fully qualified teachers, a local educational agency that is having difficulty recruiting such teachers to teach in its schools may use funds under this part to recruit such teachers through the use of incentives such as training stipends and scholarships, signing bonuses, and other inducements.

''(5) EXISTING PROGRAMS.—A local educational agency that, prior to enactment of this part, is implementing a program to reduce average class size in the early grades to not more than 20 children may use funds under this part, in accordance with its terms, as if that local educational agency's preexisting average class size goal were the goal of 18 or fewer children.

''(c) SUPPLEMENT NOT SUPPLANT.—A local educational agency shall use funds under this part only to supplement, and not to supplant, State and local funds that, in the absence of such funds, would otherwise be spent for activities under this part.

''(d) PROFESSIONAL DEVELOPMENT.—If a local educational agency uses funds made available under this part for professional development activities, the agency shall ensure the equitable participation of private nonprofit elementary and secondary schools in such activities. Sections 14503 through 14506 shall not apply to other activities under this section.

''(e) ADMINISTRATIVE EXPENSES.—A local educational agency that receives funds under this part may use not more than 3 percent of such funds for local administrative expenses.

''(f) CONSORTIA REQUIREMENT.—Notwithstanding subsection (b)(3), if a local educational agency has already reduced class size in the early grades to 18 or fewer children and intends to use funds provided under this section to carry out professional development activities, including activities to improve teacher quality, then the State shall make the award under subsection (b) to the local educational agency without requiring the formation of a consortium.

''SEC. 2205. COST-SHARING REQUIREMENT.

''(a) FEDERAL SHARE.—The Federal share of the cost of activities carried out under this part—

''(1) may be up to 100 percent in local educational agencies with child-poverty levels of 50 percent or greater; and

''(2) shall be no more than 65 percent for local educational agencies with child-poverty rates of less than 50 percent.

''(b) LOCAL SHARE.—A local educational agency shall provide the non-Federal share of a project under this part through cash expenditures from non-Federal sources, except that if an agency has allocated funds under section 1113(c) to one or more schoolwide programs under section 1114, it may use those funds for the non-Federal share of activities under this program that benefit those schoolwide programs, to the extent consistent with section 1120A(c) and notwithstanding section 1114(a)(3)(B).

''SEC. 2206. REQUEST FOR FUNDS.

''In order for a local educational agency to receive funds under this part, the local educational agency shall include in the application submitted under section 2017 a request for such funds and a description of the agency's program under this part to reduce class size by hiring additional fully qualified teachers.

''SEC. 2207. REPORTS.

''Each State educational agency receiving funds under this part shall report on activities in the State under this section as a part of its report under section 2014.''.

(b) NATIONAL WRITING PROJECT; SABBATICAL LEAVE FOR PROFESSIONAL DEVELOPMENT; GENERAL PROVISIONS.—Title II of such Act is amended by striking part E and inserting the following:

''PART E—NATIONAL WRITING PROJECT

''SEC. 2301. FINDINGS AND PURPOSES.

''(a) FINDINGS.—Congress finds that—

''(1) the United States faces a continuing crisis in writing in schools and in the workplace;

''(2) the writing problem has been magnified by the rapidly changing student population, the growing number of at-risk students due to limited English proficiency, the shortage of adequately trained teachers, and the specialized knowledge required of teachers to teach students with special needs who are now part of mainstream classrooms;

''(3) nationwide reports from universities and colleges show that entering students are unable to meet the demands of college level writing, almost all 2-year institutions of higher education offer remedial writing courses, and three-quarters of public 4-year institutions of higher education and half of all private 4-year institutions of higher education must provide remedial courses in writing;

''(4) American businesses and corporations are concerned about the limited writing skills of both entry-level workers and executives whose promotions are denied due to inadequate writing abilities;

''(5) writing is fundamental to learning, including learning to read, yet writing has been neglected historically in schools and in teacher training institutions;

''(6) writing is a central feature in State and school district education standards in all disciplines;

''(7) since 1973, the only national program to address the writing problem in the Nation's schools has been the National Writing Project, a network of collaborative university-school programs the goals of which are to improve student achievement in writing and student learning through improving the teaching and uses of writing at all grade levels and in all disciplines;

''(8) the National Writing Project is a nationally recognized and honored nonprofit organization that improves the quality of teaching and teachers through developing teacher leaders who teach other teachers in summer and school year programs;

''(9) evaluations of the National Writing Project document the positive impact the project has had on improving the teaching of writing, student performance in writing, and student learning;

''(10) the National Writing Project has become a model for programs to improve teaching in such other fields as mathematics, science, history, reading and literature, performing arts and foreign languages;

''(11) each year over 150,000 participants benefit from National Writing Project programs in 1 of 156 United States sites located in 46 States and the Commonwealth of Puerto Rico; and

''(12) the National Writing Project is a cost-effective program and leverages over 6 dollars for every 1 Federal dollar.

''(b) PURPOSE.—It is the purpose of this part—

''(1) to support and promote the expansion of the National Writing Project network of sites so that teachers in every region of the United States will have access to a National Writing Project program;

''(2) to ensure the consistent high quality of the sites through ongoing review, evaluation and technical assistance;

''(3) to support and promote the establishment of programs to disseminate effective practices and research findings about the teaching of writing; and

''(4) to coordinate activities assisted under this part with activities assisted under this Act.

''SEC. 2302. AUTHORIZATION.

''(a) AUTHORIZATION.—The Secretary is authorized to make a grant to the National Writing Project (hereafter in this section referred to as the 'grantee'), a nonprofit educational organization that has as its primary purpose the improvement of the quality of student writing and learning, to improve the teaching and uses of writing to learn in our Nation's classrooms.

''(b) REQUIREMENTS OF GRANT.—The grant shall provide that—

''(1) the grantee will enter into contracts with institutions of higher education or other nonprofit educational providers (hereafter in this section referred to as 'contractors') under which the contractors will agree to establish, operate, and provide the non-Federal share of the cost of teacher training programs in effective approaches and processes for the teaching of writing;

''(2) funds made available by the Secretary to the grantee pursuant to any contract entered into under this section will be used to pay the Federal share of the cost of establishing and operating teacher training programs as provided in paragraph (1); and

''(3) the grantee will meet such other conditions and standards as the Secretary determines to be necessary to assure compliance with the provisions of this section and will provide such technical assistance as may be necessary to carry out the provisions of this section.

''(c) TEACHER TRAINING PROGRAMS.—The teacher training programs authorized in subsection (a) shall—

''(1) be conducted during the school year and during the summer months;

''(2) train teachers who teach grades kindergarten through college;

''(3) select teachers to become members of a National Writing Project teacher network whose members will conduct writing workshops for other teachers in the area served by each National Writing Project site; and

''(4) encourage teachers from all disciplines to participate in such teacher training programs.

''(d) FEDERAL SHARE.—

''(1) IN GENERAL.—Except as provided in paragraph (2) or (3) and for purposes of subsection (a), the term 'Federal share' means, with respect to the costs of teacher training programs authorized in subsection (a), 50 percent of such costs to the contractor.

''(2) WAIVER.—The Secretary may waive the provisions of paragraph (1) on a case-by-case basis if the National Advisory Board described in subsection (e) determines, on the basis of financial need, that such waiver is necessary.

''(3) MAXIMUM.—The Federal share of the costs of teacher training programs conducted pursuant to subsection (a) may not exceed $100,000 for any one contractor, or $200,000 for a statewide program administered by any one contractor in at least five sites throughout the State.

''(e) NATIONAL ADVISORY BOARD.—

''(1) ESTABLISHMENT.—The National Writing Project shall establish and operate a National Advisory Board.

''(2) COMPOSITION.—The National Advisory Board established pursuant to paragraph (1) shall consist of—

''(A) national educational leaders;

''(B) leaders in the field of writing; and

''(C) such other individuals as the National Writing Project deems necessary.

''(3) DUTIES.—The National Advisory Board established pursuant to paragraph (1) shall—

''(A) advise the National Writing Project on national issues related to student writing and the teaching of writing;

''(B) review the activities and programs of the National Writing Project; and

''(C) support the continued development of the National Writing Project.

''(f) EVALUATION.—

''(1) IN GENERAL.—The Secretary shall conduct an independent evaluation by grant or contract of the teacher training programs administered pursuant to this Act in accordance with section 14701. Such evaluation shall specify the amount of funds expended by the National Writing Project and each contractor receiving assistance under this section for administrative costs. The results of such evaluation shall be made available to the appropriate committees of the Congress.

''(2) FUNDING LIMITATION.—The Secretary shall reserve not more than $150,000 from the total amount appropriated pursuant to the authority of subsection (h) for fiscal year 1994 and the four succeeding fiscal years to conduct the evaluation described in paragraph (1).

''(g) APPLICATION REVIEW.—

''(1) REVIEW BOARD.—The National Writing Project shall establish and operate a National Review Board that shall consist of—

''(A) leaders in the field of research in writing; and

''(B) such other individuals as the National Writing Project deems necessary.

''(2) DUTIES.—The National Review Board shall—

''(A) review all applications for assistance under this subsection; and

''(B) recommend applications for assistance under this subsection for funding by the National Writing Project.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the grant to the National Writing Project, $15,000,000 for fiscal year 2000 and such sums as may be necessary for each of fiscal years 2001 through 2004.

''PART F—SABBATICAL LEAVE FOR PROFESSIONAL DEVELOPMENT

''SEC. 2351. GRANTS FOR SALARY DURING SABBATICAL LEAVE.

''(a) PROGRAM AUTHORIZED.—The Secretary may make grants to State educational agencies and local educational agencies to pay such agencies for one-half of the amount of the salary that otherwise would be earned by an eligible teacher described in subsection (b), if, in lieu of fulfilling the teacher's ordinary teaching assignment, the teacher completes a course of study described in subsection (c) during a sabbatical term described in subsection (d).

''(b) ELIGIBLE TEACHERS.—An eligible teacher described in this subsection is a teacher who—

''(1) has been employed for the 3 previous years by a local educational agency that is both a high-poverty local educational agency and a low-performing local educational agency;

''(2) has secured from such agency, and any other person or agency whose approval is required under State law, approval to take sabbatical leave for a sabbatical term described in subsection (d); and

''(3) has submitted to the agency an application for a subgrant at such time, in such manner, and containing such information as the agency may require, including—

''(A) written proof—

''(i) of the approval described in paragraph (2); and

''(ii) of the teacher's having been accepted for enrollment in a course of study described in subsection (c); and

''(B) assurances that the teacher—

''(i) will notify the agency in writing within a reasonable time if the teacher terminates enrollment in the course of study described in subsection (c) for any reason;

''(ii) in the discretion of the agency, will reimburse to the agency some or all of the amount of the subgrant if the teacher fails to complete the course of study; and

''(iii) otherwise will provide the agency with proof of having completed such course of study not later than 60 days after such completion;

''(4) has agreed to continue teaching in the high-poverty, low-performing local educational agency for a period of 3 years following the sabbatical;

''(5) has agreed to collaborate with other teachers of the same subject in the local educational agency following the sabbatical to share the skills and knowledge obtained through the sabbatical; and

''(6) has been selected by the agency to receive a subgrant based on the agency's plan for meeting its classroom needs.

''(c) COURSE OF STUDY.—A course of study described in this subsection is a course of study at an institution of higher education that—

''(1) requires not less than one academic semester and not more than one academic year to complete;

''(2) is open for enrollment for professional development purposes to an eligible teacher described in subsection (b); and

''(3) is designed to improve the classroom teaching of such teachers through academic and child development studies.

''(d) SABBATICAL TERM.—A sabbatical term described in this subsection is a leave of absence from teaching duties granted to an eligible teacher for not less than one academic semester and not more than one academic year, during which period the teacher receives—

''(1) one-half of the amount of the salary that otherwise would be earned by the teacher, if the teacher had not been granted a leave of absence, from State or local funds made available by a State educational agency or a local educational agency; and

''(2) one-half of such amount from Federal funds received by such agency through a grant under this section.

''(e) PAYMENTS.—

''(1) TO ELIGIBLE TEACHERS.—In making a subgrant to an eligible teacher under this section, a State educational agency or a local educational agency shall agree to pay the teacher, for tax and administrative purposes, as if the teacher's regular employment and teaching duties had not been suspended.

''(2) REPAYMENT OF SECRETARY.—A State educational agency or a local educational agency receiving a grant under this section

shall agree to pay over to the Secretary the Federal share of any amount recovered by the agency pursuant to subsection (b)(3)(B)(ii).

''(f) FUNDING.—For the purpose of carrying out this section, there are authorized to be appropriated $20,000,000 for fiscal year 2000 and such sums as may be necessary for fiscal years 2001 through 2004.

''PART G—IMPROVING SPECIAL EDUCATION QUALITY

''SEC. 2401. SPECIAL EDUCATION TEACHER IMPROVEMENT.

''(a) PURPOSE.—The purpose of this section is to provide assistance through part D of the Individuals with Disabilities Education Act (20 U.S.C. 1451 et seq.) to improve the quality of instruction provided by special education teachers and the instructional strategies of other elementary and secondary school teachers who provide education to children with disabilities.

''(b) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—The Secretary shall make grants to local educational agencies and the outlying areas, and provide funds to the Secretary of the Interior, based on the number of children with disabilities who are receiving special education and related services, for the purpose of providing additional funds to carry out—

''(1) subpart 1 of part D of the Individuals with Disabilities Education Act (20 U.S.C. 1451 et seq.); and

''(2) section 673 of such Act (20 U.S.C. 1473).

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $500,000,000 for each of fiscal years 2000 through 2004.

''(d) DEFINITIONS.—The terms used in this section shall have the meaning given such terms in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401).

''PART H—GENERAL PROVISIONS

''SEC. 2451. PERFORMANCE INDICATORS.

''(a) MINIMUM INDICATORS.—At a minimum, the indicators of program performance under this title, against which recipients of funds under this title shall report their progress in such manner as the Secretary may determine, are the following:

''(1) Improvement in student achievement.

''(2) Closing of the achievement gap between groups of students.

''(3) An increase in the percentage of fully qualified teachers, including teachers from minority and other historically underrepresented groups.

''(4) An equalization, between high- and low-poverty schools in a local educational agency, of classes in core academic areas taught by fully qualified teachers.

''(5) An increase in the percentage of new teachers receiving support during their first 3 years of teaching.

''(6) An increase in the percentage of teachers participating in high-quality professional development.

''(7) An increase in the percentage of paraprofessionals enrolled in certification programs.

''(8) A decrease in the average class size.

''SEC. 2452. DEFINITIONS.

''As used in this title:

''(1) CAREER-CHANGING PROFESSIONAL.—The term 'career-changing professional' means a person who—

''(A) holds at least a baccalaureate degree;

''(B) demonstrates a commitment to changing the person's current professional career and becoming a teacher; and

''(C) has knowledge and experience that is relevant to teaching a high-need subject area in a high-poverty local educational agency.

''(2) CORE ACADEMIC SUBJECTS.—The term 'core academic subjects' means—

''(A) mathematics;

''(B) science;

''(C) reading (or language arts) and English;

''(D) social studies (history, civics/government, geography, and economics);

''(E) foreign languages; and

''(F) fine arts (music, dance, drama, and the visual arts).

''(3) ELIGIBLE RURAL LOCAL EDUCATIONAL AGENCY.—The term 'eligible rural local educational agency' means a local educational agency—

''(A) that is not located in a metropolitan statistical area, as defined by the Census Bureau; and

''(B) in which 20 percent or more of the children, aged 5 to 17, served by such agency are from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data are available.

''(4) FULLY QUALIFIED.—The term 'fully qualified'—

''(A) when used with respect to an elementary or secondary school teacher, means that the teacher has obtained certification or passed the State licensing exam and holds a license; and

''(B) when used with respect to—

''(i) an elementary school teacher, means that the teacher holds a bachelor's degree and demonstrates general knowledge, teaching skill, and subject matter knowledge required to teach at the elementary school level the academic subjects described in subparagraphs (A) through (D) of paragraph (2); or

''(ii) a middle or secondary school teacher, means that the teacher holds a bachelor's degree and demonstrates a high level of competency in all subject areas in which he or she teaches through—

''(I) a high level of performance on a rigorous academic subject area test; or

''(II) completion of an academic major in each of the subject areas in which he or she provides instruction.

''(5) HIGH-POVERTY LOCAL EDUCATIONAL AGENCY.—The term 'high-poverty local educational agency' means a local educational agency in which—

''(A) the percentage of children, ages 5 to 17, from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data are available is 33 percent or greater; or

''(B) the number of such children exceeds 10,000.

''(6) HOLOCAUST EDUCATOR.—The term 'Holocaust educator' means a school, Holocaust education center, or any other person or entity providing education about the Holocaust.

''(7) LOW-PERFORMING LOCAL EDUCATIONAL AGENCY.—The term 'low-performing local educational agency' means—

''(A) a local educational agency that includes a school identified by the agency for school improvement under section 1116(c); or

''(B) a local educational agency that includes a school in which at least 50 percent of the students fail to meet State student performance standards based on assessments the agency is using under part A of title I.

''(8) PROFESSIONAL DEVELOPMENT.—The term 'professional development' means sustained and intensive activities that improve teachers' content knowledge and teaching skills and that—

''(A) enhance the ability of teachers to help all students, including females, minorities, children with disabilities, children with limited English proficiency and economically disadvantaged children, reach high State and local content and student performance standards;

''(B) advance teacher understanding of one or more of the core academic subject areas and effective instructional strategies for improving student achievement in those areas, including technology;

''(C) are directly related to the subject area in which the teacher provides instruction;

''(D) are of sufficient duration to have a positive and lasting impact on classroom instruction;

''(E) are an integral part of broader school and district-wide plans for raising student achievement to State and local standards;

''(F) are aligned with State content and student performance standards;

''(G) are based on the best available research on teaching and learning;

''(H) include professional development activities that involve collaborative groups of teachers and administrators from the same school or district, institutions of higher education, and, to the greatest extent possible, include follow-up and school-based support such as coaching or study groups; and

''(I) as a whole, are regularly evaluated for their impact on increased teacher effectiveness and improved student achievement, with the findings of such evaluations used to improve the quality of professional development.

''(9) TECHNOLOGY DEFICIENT.—The term 'technology deficient', when used with respect to a local educational agency or a school, means that the agency or school does not possess the equipment, networking, or skills to use technology to enhance teaching and learning.

''(10) TECHNOLOGY PROFICIENT.—The term 'technology proficient', when used with respect to a local educational agency or a school, means that the agency or school possesses the equipment, networking, and skills to use technology to enhance teaching and learning.

''(11) TROOPS-TO-TEACHERS PROGRAM.—The term 'troops-to-teachers program' means the teachers and teachers' aide placement program for separated members of the Armed Forces that was established by the Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard, under section 1151 of title 10, United States Code.

''(12) UNQUALIFIED TEACHER.—The term 'unqualified teacher' means a teacher who is not fully qualified.''.

(c) CONFORMING AMENDMENTS.—

(1) NATIONAL WRITING PROJECT.—Part K of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8331 et seq.) is repealed.

(2) REFERENCE TO NATIONAL CLEARINGHOUSE FOR MATHEMATICS AND SCIENCE EDUCATION.—Section 13302(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8672(1)) is amended by striking ''2102(b)'' and inserting ''2032(b)''.

(3) DEFINITION OF COVERED PROGRAM.—Section 14101(10)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801(10)(C)) is amended by striking ''(other than section 2103 and part D)'' and inserting ''(other than subpart 3 of part A)''.

(4) PRIVATE SCHOOL PARTICIPATION.—Section 14503(b)(1)(B) (20 U.S.C. 8893(b)(1)(B)) of such Act is amended by striking ''(other than section 2103 and part D of such title)''.

SEC. 3. READING EXCELLENCE ACT.

Section 2260(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6661i(a)) is amended by adding at the end the following:

''(3) FISCAL YEARS 2001 TO 2004.—There are authorized to be appropriated to carry out this part $286,000,000 for fiscal year 2001 and such sums as may be necessary for fiscal years 2002 through 2004.''.

The CHAIRMAN pro tempore. Pursuant to House Resolution 253, the gentleman from California (Mr. MARTINEZ) and the gentleman from Pennsylvania (Mr. GOODLING) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. MARTINEZ).

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

Mr. Chairman, while my good friend and colleague, the gentleman from California (Mr. MCKEON), has attempted to craft legislation that will ensure our children are taught by highly qualified individuals in an environment conducive to learning, I believe that H.R. 1995 has some serious flaws.

H.R. 1995 says that class size reduction is important but not important enough to merit a separate funding stream. Despite overwhelming support for class size reduction among teachers, students, parents alike, H.R. 1995 effectively repeals President Clinton's 100,000 new teacher program. H.R. 1995 says that teacher quality is important but not important enough to request additional funding over last year's level, even though there is enough money in the budget for a trillion dollar tax cut.

It recognizes the greatest problem of uncertified and out-of-field teaching occurs in urban and rural low-income districts, but their bill then takes money from those districts and sends it to school districts that in all likelihood have already qualified teachers.

Although H.R. 1995, at the insistence of the Democrats, includes a hold-harmless, new funding is allocated under a poorly targeted formula, meaning that over the life of the reauthorization, money will be taken from poor and urban and rural districts and sent to less needy areas.

I believe my substitute, on the other hand, sends a clear message, and that message is that the education of our Nation's children is important. It is important enough for teacher quality and class size reduction. It is important enough for increased Federal spending, and it is important enough to ensure that disadvantaged children have access to the same quality of education as their peers.

Whereas H.R. 1995 rolls funding for the Eisenhower program, Goals 2000, and the Clinton/Clay class size reduction initiative into a block grant to the States, my amendment provides funding for a wide variety of teacher recruitment, retention and professional development activities, in addition to encouraging States to continue standard based reform and continue the commitment made to teachers and students and parents last year to reduce class size in the early grades by maintaining a separate funding stream for class size reduction.

While H.R. 1995 seeks only to maintain the fiscal year 1999 funding level for these activities, my amendment recognizes the importance of high-quality education to our Nation's future by tripling the Federal investment in our public school teachers and providing districts with adequate funding to decrease class sizes to 18 students by 2004. This amendment also is in keeping with the philosophy behind the Federal Government's role in education. It targets money to the neediest school districts where it can have the greatest impact.

Finally, this amendment provides sufficient resources to meet the challenges of skyrocketing school enrollments which will require a new highly qualified teacher corps. As I said before and I will say it again, if Members are serious about improving the quality of funding education in this, the national bill, then they will support this amendment.

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

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

Mr. Chairman, when I woke up this morning I looked at the watch and it said 5:30 a.m. Then I looked at the calendar and it said July 20. Then all of a sudden I came to the floor of the House and I discovered this is not July at all; this is December. Christmas is just around the corner.

Normally, back home, we do not put the tree up until after Thanksgiving and then we start putting the ornaments on little by little by little. But here we are going to put the tree up in July, and we are going to put all the ornaments on at one time. Is not that remarkable? Of course, again, then the appropriators have to say, well, obviously if we are going to do all of these things, we will have to eliminate 100,000 new teachers; we will have to eliminate this, this and this because we have to fund these things.

It is an interesting place we work in. I want to make sure my colleagues understand that.

First, the legislation holds no one accountable in relationship to 100,000 new teachers. $1.2 billion that went out last week has absolutely no accountability to ensure that students will benefit from smaller classes.

Second, this legislation puts smaller classes ahead of better teachers. I cannot think of a worse mistake to make than that. It keeps class reduction as the end to all, even in situations such as a poor urban area where reducing class size has resulted in a major increase in the number of unqualified teachers entering the classroom.

The fact is, a class of 10 students with an unqualified teacher is no better and probably much worse than a classroom with 22 students and a highly qualified teacher.

Third, it throws local decision-making in education out the window. Reducing class size is a priority under the Teacher Empowerment Act that we have had before us, but ultimately, under this program and not the Martinez substitute, it is up to local schools to make this decision.

Whether the benefits outweigh the costs, we allow local waivers if reducing class size does not make sense.

Now, a recent study by the Rand Corporation, in relationship to California, says, the costs of reducing class sizes exceeded State funding, forcing districts to raid money for libraries, music, art, maintenance, and other services.

I think we have heard that several times in relationship to IDEA, did not we? They have to rob from everything else on the local level to deal with that mandate. Here we are doing the same thing all over again, and so they have discovered in their Rand study in California that as a matter of fact they had to produce local revenue; and, therefore, they had to take away and reduce the amount of money they spent on libraries, music, art, maintenance and other services that the district provides.

Rather than imposing a one-size-fits-all approach to education as under the Martinez/Clinton proposal, the Teacher Empowerment Act allows local school districts to determine the correct balance between teacher quality and class size. The Teacher Empowerment Act requires that local schools use a portion of their funds to reduce class size but not if it means having to compromise the quality of the teachers they hire.

The President's current 100,000 new teacher program not only provides a single purpose for the use of $1.2 billion but it lacks any accountability. So, again, I go back to my opening statement. This is July 20, folks. This is not December 25. It is not time to put up the Christmas tree. It is not time to sprinkle the ornaments all over that Christmas tree. It is time to think seriously about having quality teachers in every classroom throughout the United States.

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

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

Mr. Chairman, I do not believe it is Christmas time to provide services for children who are needy and need them. I guess it is up to the prerogative of the chairman to provide mischaracterizations of the bill, but that is fine.

Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. CLAY), the ranking member of the committee.

Mr. CLAY. Mr. Chairman, I rise in support of the Martinez substitute. This substitute maintains a separate

stream of funding for class size reduction. It passed overwhelmingly last year. Passing this substitute will continue to target funds in current programs to ensure that school districts most in need are served.

The gentleman from California (Mr. MARTINEZ) provides strong accountability provisions to ensure qualified teachers in every classroom. His substitute doubles funding for professional development and class size reduction. It also includes a $500 million authorization to ensure training of special education teachers.

President Clinton's proposal for Troops to Teachers, the proposal of the gentlewoman from Hawaii (Mrs. MINK) for intensive teacher training through sabbaticals, and the emphasis of the gentleman from Wisconsin (Mr. KIND) on principal development are included in this substitute.

Finally, Mr. Chairman, this substitute maintains support for the National Board for Professional Teaching Standards, which operates a national voluntary system to access and certify teachers, and it also provides continued support for standards-based reforms as recommended by the gentleman from Michigan (Mr. KILDEE).

The Martinez substitute makes good on the commitment that we made to reduce class sizes in the early grades.

Mr. Chairman, those who claim support for raising the academic level of disadvantaged students should embrace the Martinez substitute with enthusiasm.

Mr. GOODLING. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. BOEHNER), the subcommittee chair.

Mr. BOEHNER. Mr. Chairman, I rise today to oppose the amendment of the gentleman from California (Mr. MARTINEZ), not because it is not well meaning or well intentioned but because it goes in the same old direction that Washington has gone in for the last 40 years.

Something has happened over the last 5 years in this Congress and it is not that Republicans have taken control. It is that we as a Congress have done a better job of listening to our local communities, our local school boards and the Nation's 50 governors of all parties.

What has happened out of all of this listening and working with them is that we passed an unfunded mandate bill that said we would not mandate more requirements on States and local communities without the money.

We have passed welfare reform, where we took a whole slew of categorical programs, packaged them together, sent them back to the States so that States and local communities could decide how best to meet the needs of those of little means in their communities. In other words, we trusted the States and local communities to deal with the problems back home.

Earlier this year, we passed the Ed-Flex bill, taking more categorical programs mandated out of Washington, grouped them together, sent them back home because the governors of all parties said, give us the flexibility and hold us accountable for test scores in the end.

So the bill we have before us today is another step in that direction, of working with all the governors, local school boards and parents, to try to give them the flexibility they need to improve the schools and to improve the test scores of our Nation's students.

What they are asking for in return is very simply this: give us the flexibility and hold us accountable for the results that we get from our children. That is the direction the Congress has been going in for the last 5 years, and the fact is that this proposal, offered by our colleague, the gentleman from Pennsylvania (Mr. GOODLING), and pioneered by the gentleman from California (Mr. MCKEON) is a giant step in giving States, teachers, local school boards the kind of flexibility they want.

It has broad bipartisan support. Why not pass it? The gentleman's amendment would go back to the same old tired programs of here are all of these little categorical programs and if the school districts do what we say they should do, then we will give them the money. The fact is I think it has been a failed approach. It has been a hodgepodge.

Local schools need all types of things. Some need more teachers. Some need technology. Some need help in the library. Maybe they need more books. Let us let them decide how to improve the schools and hold them accountable for improving those test scores.

So the amendment of the gentleman from California (Mr. MARTINEZ) would gut the legislation before us today. I think it is a failed policy that we have tried for the last 50 years and we know has not worked. Let us give this an opportunity to pass.

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

Mr. Chairman, the last speaker was certainly right. Something has happened in the last 5 years. Locals know best unless we know better.

Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Mr. Chairman, the previous speaker said that we had learned to listen. Well, teachers have said that they do not want this bill. They want the Democratic substitute. Parents have said it through the PTA. We have heard earlier that the governors, that each of the elements of the educational enterprise in our country, support the Democratic substitute over the main bill.

My colleague, the gentleman from Pennsylvania (Mr. GOODLING), the chairman, just said, as he closed his remarks, that it was time for us to think seriously about putting a qualified teacher in every classroom.

Well, let us think about that for a minute. Who has been responsible for putting unqualified teachers in classrooms of children around this country, particularly in areas where children come from low-income families?

□ 1715

Who has been responsible for doubling the number of children in classes that all of us believe ought to be there, including President Clinton who says the number should be 18?

It has not been the Federal Government making these decisions. It is the people that my colleagues suggest they want to give more flexibility to. They want to take these Federal dollars where we are trying to set some priorities that local people agree with, that is, the parents agree, the teachers agree, the local school boards agree. But no, my colleagues want to take the same local entities at the State level, who have made these unfortunate decisions, and give them more of an opportunity.

I think that, as the gentleman from Pennsylvania (Chairman GOODLING) said, let us think seriously about putting quality teachers in every classroom. Let us take our responsibility seriously. Let us be leaders. Let us set some priorities.

The President has said, first and foremost, classroom reduction. That is the Democratic mark. Now if my colleagues would like to come up with another $1.2 billion and do it and focus on some other issues, then fine, let us all work together. But let us not step on this initiative in a way that creates a problem for any of us to have the kind of decision making we want on this issue.

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

Mr. Chairman, the gentleman from Pennsylvania (Mr. FATTAH) is darn right I can answer the question who made the problems. It has been the Federal Government, as a matter of fact, mandate after mandate back there that somebody has to pay. Therefore, the local district has to make decisions contrary to what they want to do to improve education in the district because they got the mandates from here, unpaid mandates.

Mr. Chairman, I yield 3 minutes to the gentlewoman from New Jersey (Mrs. ROUKEMA).

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Chairman, I will try to follow that statement.

Mr. Chairman, I will say that, as far as I am concerned, this bill that I am supporting, and I think the chairman has described it excellently, is not only the art of the possible, and by that I mean that we are not giving away everything and promising more than can ever be delivered, this is the art of the possible, but it also sets priorities and sets up accountability standards and

fosters what I believe we should be returning to a proper relationship between State and local control and accountability and make those commitments identifiable in this legislation.

The substitute that the gentleman from California (Mr. MARTINEZ) is proposing does not do that. Of course I want to stress, I mean it puts more control back in Washington's hands. I want to stress, however, because I think it has been misrepresented here, that the TEA bill that the gentleman from Pennsylvania (Mr. GOODMAN) is advancing here and that I strongly support does allow and requires new teachers.

It does require a correct balance between teachers and class size. But as I read it, it does not put all of the authority in with the Washington establishment, but does require an approach to improving student achievement.

The President's proposal that we have before us here lacks any accountability on the relationship between reducing class size and making those reductions in fact a measurement on how we improve student achievement. So the accountability standards here I think are very important in their relationship to class size.

Perhaps one of the most important points is that a separate program is not necessary under this proposal. Since teacher quality and class size are so closely interrelated, it makes sense, as the gentleman from Pennsylvania (Mr. GOODLING) has pointed out, for these funds to be under the same grant. I want to repeat that. Not only class size, but also teacher quality.

I might point out that, according to the numbers that I see, I do not think there are 100,000 teachers that are qualified and certified to be hired out there. If anything, we have to put a higher priority on teacher quality and teacher certification.

But I might also point out that State and local school districts that wish to receive a waiver with respect to this program should not have to go to Washington as identified in that bill, but waivers should be State based and again putting that direction and higher priority on State and local control.

I guess I have no more time, but I strongly support it. Ninety-five percent of our program goes directly to schools, and that is very important to remember.

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

Mr. Chairman, I will just inform the lady that half of what is in the Republican bill was in my bill before it was in the Republican bill. Of course, we were grateful that they took that and put it in their bill; but, nevertheless, those are our initiatives.

Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, the Martinez substitute addresses a number of concerns I have with the underlying bill.

The Martinez substitute targets a greater share of teacher quality funding to disadvantaged school districts than H.R. 1995. This greater emphasis on needy districts reflects the reality of where our greatest problems as a Nation are in maintaining high quality teachers.

The Martinez substitute also raises our commitment to these programs by authorizing $3.5 billion. The substitute does this through separate streams of funding for both teacher quality and class size reduction, thereby not pitting one need against another.

As we have seen from research, it takes both smaller classes and fully qualified teachers to have a positive impact upon student achievement. Both of these priorities funded through separate streams have a greater chance of ensuring that we reach our national priorities of a high quality teacher force and small, manageable class sizes from kindergarten through third grade.

Mr. Chairman, the Martinez substitute amendment is a critical step forward in our effort to ensure a teaching force that is ready for the 21st Century and deserves the support of all Members today.

In my city of Flint, Michigan, about 7 years ago, we did this, the only city in Michigan to do it. Let me tell my colleagues, it has worked. We have quality certified teachers teaching classes of 18. All the tests indicate that those gains those students make persist through the eighth grade examination. This is really a chance to make a real difference in education in this country.

Mr. GOODLING. Mr. Chairman, what is the division of time remaining?

The CHAIRMAN. The gentleman from Pennsylvania (Mr. GOODLING) has 9 minutes remaining, and the gentleman from California (Mr. MARTINEZ) has 11 minutes remaining.

Mr. GOODLING. Mr. Chairman, I reserve the balance of my time.

Mr. MARTINEZ. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. Mr. Chairman, I thank the gentleman from California for yielding me this time.

Mr. Chairman, I rise in support of the Martinez substitute. I commend both the gentleman from California (Mr. MARTINEZ) and the ranking member of the committee for the outstanding work that they have done on this substitute.

Mr. Chairman, here we are again debating an issue that is essential to our children's future, and that is the size of the classrooms in our disadvantaged communities. The Republicans have repeatedly attempted to politicize this issue. It is indisputable that reduced class size, especially in the early years, improves student achievement and provides lasting benefits, particularly for disadvantaged students.

H.R. 1995 fails to target funds to the neediest school districts. Are the Republicans suggesting that urban poor and rural poor students are not deserving of adequate funding for public education? Do Republicans not understand that an educated child provides for a more productive work force?

I implore my colleagues on both size of the aisle to come to their senses and support the Martinez substitute. Let us end this political parade and put our children first.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. HOEKSTRA), another subcommittee chairman.

Mr. HOEKSTRA. Mr. Chairman, over the last number of years, we have had the opportunity to travel around the country, taking a look at schools and local programs and identifying what works and what does not work. It is called Education at a Crossroad. This bill is built on the principles that we outlined as a result of that effort.

The Teacher Empowerment Act follows five important principles, and I think these principles could apply to all Federal education programs because we do recognize how important education is to secure the future of this country.

What are those five principles? We need to empower parents and not bureaucracies. We need to use education methods that work, not fads and gimmicks. We need to spend the money where we have the most impact. That means that we spend the money on the kids; we spend it in the classroom; we do not spend it in Washington; and we do not spend it on red tape. We need a terrific teacher in every classroom. Then we have to have accountability for results.

Because not how much we put it in is what matters. What matters is how much learning takes place.

That is why I oppose the Martinez amendment. Because what it does, it moves us away from these principles. It moves us away from empowering parents. It empowers bureaucracies. It moves the decision making back to Washington. It means that we will end up spending and approving local spending decisions here in Washington, not at the local level.

If we are going to have waivers to a Federal education program, those decisions need to be made at a State and a local level. As we found out in welfare reform, what sense does it make to move decisions from the State level to Washington? Let us keep moving decision making and improving education and make it a local responsibility.

Mr. MARTINEZ. Mr. Chairman, again my amendment is being mischaracterized. We do all of the things that the Republican bill does, but we do it better.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Chairman, I thank the gentleman from California for yielding to me.

Listening to the debate, a couple of words, operative words come to mind

more than anything else. In supporting the Martinez substitute, what we are doing is providing accountability. We are providing local governments with a message that we intend to fulfill our commitments, and we provide the message that we will guarantee our words with actions.

To support H.R. 1995 would be to send the opposite message, that, one, we send the message that we want our local school districts to be able to reduce their class sizes, but, two, we are going to take the money, pull the rug right from under their feet when they are about to start doing that, and say to them go on, go about and do this all by yourself.

It is unfortunate that we cannot, for whatever reasons, decide in this Congress to have the accountability we always say we want our local school boards to have with the parents that send their kids to school. But here we are telling the local governments that we have already sent them down $1.2 billion last year to start reducing class sizes. Some 30,000 teachers have been hired.

Yet, now, all of a sudden, we are going to pull the rug right from under their feet as they start these initiatives. Now they have to find the funding from some other source. What a way to try to organize themselves, to try to conduct their governments at the local level, to have the Federal Government say to them one day, we are going to do this for you on a bipartisan basis last year, and now for us to say go on it alone.

Worse than that, we do not even target monies if we pass H.R. 1995. We need the Martinez substitute because we need to make sure that we are letting schools know that we want to help them where they need it most. If we take away that ability to target the monies, who knows what this money will be spent on. We want accountability at the local level. We should have accountability at the Federal level as well.

Let us stick to the Martinez substitute. Let us not pass H.R. 1995. Let us give schools what we would expect them to get from the parents, what the parents would expect to get from them. That is accountability. Let us do the same here in the Federal Government in Washington, D.C. Let us give them the accountability and guaranties they can do the work they can do.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. TANCREDO), another member of our committee.

Mr. TANCREDO. Mr. Chairman, I thank the gentleman from Pennsylvania (Chairman GOODLING) for yielding me this time.

Mr. Chairman, we just came upstairs from a hearing that the subcommittee held. It was subcommittee on examining education programs benefiting Native American children.

□ 1730

It was a fascinating hearing. We heard from a number of people from the BIA and people running Indian schools on reservations. We asked those folks about what they considered to be the most significant change we could possibly provide for them that would make something positive happen in their schools. Because, frankly, today, the educational system for Native Americans is a disaster. From almost any standpoint or any way we want to measure it, it is a disaster. It is perhaps a microcosm of the broader problems we have in this country. So we asked what it was they thought we can do, what can the Federal Government possibly do to help you make it better.

The first thing that was said by the gentleman who is with the BIA, and he went on at some length on this, is essentially this: please give us more flexibility. He said everything that has happened up to this point in time, the 20 to 25 years that we have been experimenting with the various programs handed down by government, all of the individual programs and titles that have tied our hands have made it literally impossible for us, and I am paraphrasing here, I admit, literally impossible for us to do what we have been asking them to do, and that is to improve the quality of education for our children.

He said, please do this for us: give us the money; let us determine how it will be spent. Give us more flexibility in determining exactly who goes to school, in what school, and what kind of a teacher that particular student confronts. That, he said, is what will do more for Indian education than anything else.

Mr. Chairman, I suggest it will also do more for American education, and that is why we have to defeat the Martinez amendment and go with the bill itself.

Mr. MARTINEZ. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Chairman, congratulations to teachers. At last, Members on both sides of the aisle in the House of Representatives agree on the fact that teachers are important. Congratulations. It is about time.

But one side, through the Martinez substitute, provides more funds to reduce class size with a guaranty that educators and parents can count on. The Martinez substitute maintains the class size reduction program as a separate program with a dedicated stream of funding, while H.R. 1995 puts all funds in one pool for governors to spend as they will and at their will.

We need a democratic triangle of learning, with dedicated funds to hire qualified teachers on one side; class size reduction on the second side; and in a separate proposal, the third side of the triangle needs to fund school construction and modernization.

Mr. Chairman, we do not need to know rocket science to know that the Martinez substitute is the better choice for our students and our schools, just simple geometry. Vote for the Martinez substitute so our students will have 100,000 more qualified teachers and smaller class sizes. They need and deserve both, not one or the other.

Mr. GOODLING. Mr. Chairman, I yield 1½ minutes to the gentleman from Delaware (Mr. CASTLE), a member of the committee.

Mr. CASTLE. Mr. Chairman, I thank the chairman again and again congratulate him for the work which he has done on this.

Unfortunately, I respectfully rise in opposition to the substitute offered by the gentleman from California (Mr. MARTINEZ). I say regretfully because he is a wonderful guy, not because I necessarily agree with him on the policy.

Unfortunately, the specific set-aside for class size reduction in the Martinez substitute creates a false choice between the need for more teachers and the need for better teachers. We can do better.

The Teacher Empowerment Act maintains our commitment to smaller class size by requiring a portion of funds be used for this purpose, but it also recognizes the different needs of our local school districts by focusing resources on initiatives to improve classroom outcomes for teachers and students alike.

In States like Delaware, where I am from, where the average class size in grades K through 3 is 17 students or in other States where further reductions in class size will result in hiring uncertified or unqualified teachers, these funds can be used to provide teacher training in subject areas like math, science, reading, and the language arts.

The flexibility in the Teacher Empowerment Act recognizes the fact that students in smaller classes may perform better academically, but that advantage is lost if the teacher is unprepared to teach. The Teacher Empowerment Act allows our teachers to receive the intensive long-term training they need to raise the academic achievement of their students.

If the localities are unable to provide professional development, this bill allows the teachers to choose their own high-quality training programs and, in so doing, the Teacher Empowerment Act recognizes the plain truth that a skilled professional can and will raise the academic achievement of the entire classroom, even among our most disadvantaged children, even in classrooms that exceed 18 students.

Finally, it is estimated that approximately 40 percent of teachers will become eligible for some type of retirement during the next 5 years. This bill addresses that as well. I would encourage us all to support the underlying bill and to defeat the Martinez amendment.

Mr. MARTINEZ. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. SANDLIN).

Mr. SANDLIN. Mr. Chairman, I rise today with America's teachers and America's students in support of the Martinez substitute.

I must say I heard a very unique argument just a few moments ago from the other side of the aisle. I have never before heard it said that reduction in class size causes us to have less qualified teachers. What a slap in the face to America's teachers to say something like that. That misguided, illogical and incorrect conclusion is an example of why we need to focus on education in America.

Education is an investment. It is not an expense. It is our most important investment, an investment in our children. Last year we made a commitment. We made a commitment to our teachers, we made a commitment to our children, and we made a commitment to our families. We committed to hiring 100,000 new teachers all across this country in grades 1 through 3 to address the issue of education and to address the issue of juvenile crime.

H.R. 1995 would be a serious step back from that commitment. Because, make no mistake about it, 1995 does not require a reduction in class size. It does not. Martinez does.

We have many other important issues in this country involving education. We need to address those issues. But that does not mean we need to back away from reduction in class size. Let us do the right thing. Let us support Martinez and reduce our class size. Let us do what the teachers and the students in America want us to do and keep our commitments.

Mr. MARTINEZ. Mr. Chairman, I yield 2 minutes to the gentlewoman from Hawaii (Mrs. MINK).

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Chairman, I thank the gentleman from California for yielding me this time.

I have been very vocal this afternoon, speaking about the deficits of the bill that we are debating, H.R. 1995, because it does not support the program that the President has recommended for the reduction of the number of students in a typical classroom in the early primary grades. That is an essential signal to this country that we ought to be doing something about.

It is not enough to say that the local people can make these decisions. They have had this opportunity to make these decisions all these years, and yet we see so many jurisdictions with these very crowded classrooms.

The second point is that the primary bill that the Republicans are putting forth today does not support the idea of targeting for the neediest people in our society, whereas the Martinez substitute does.

I want to, however, in just my limited time, focus on one essential ingredient of the Martinez substitute, which retains the language of the current law, and that has to do with assuring that the teachers who are trained have the opportunity to understand the diverse needs of girls in their classes, of students with a different ethnic background who are disadvantaged, and students with disabilities.

Achieving equity in education requires going beyond just access to education. It requires the elimination of subtler forms of inequity. Qualitative, small-scale studies over the last years have cumulatively decided and described the inequities that exist. The AUW report of 1998, Gender Gaps: Where Schools Still Fail Our Children, showed that while inequitable teaching practices are frequently inadvertent, inequality still persists in teaching practices.

Knowing that this is the case, knowing that we have these protections in current law, the Republican bill, H.R. 1995, eliminates these very important provisions from the bill that they are asking the House to vote for. The Martinez substitute keeps and retains this language, and I urge support for the Martinez substitute.

Mr. GOODLING. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. DEMINT), another new member of the committee.

Mr. DEMINT. Mr. Chairman, I would like to speak in favor of the Teacher Empowerment Act and against this proposed replacement bill that will reverse all the good that the Teacher Empowerment Act will do for our children and our schools.

One of the most important responsibilities of this Congress is to secure the future for every child in America. Some say we can accomplish this goal best by running our schools from the White House or some congressional committee. Republicans believe that we can secure the future for every child in America best by returning education dollars, decisions and flexibility back home to parents, teachers, and local schools.

The Teacher Empowerment Act does just that. It provides much-needed funds to schools, but it does not tell them how to spend it. It just tells them to get results. Schools can hire teachers and reduce class size; they can focus on innovative programs for math and science; or they can help train teachers.

I am on the Committee on Education and the Workforce and I have heard countless testimonials of educators who have said that if we just give them back the flexibility, the decisions, and the dollars that they can secure the future for our children.

Mr. Chairman, I encourage all of my colleagues to vote for the Teacher Empowerment Act and against the Martinez substitute.

Mr. MARTINEZ. Mr. Chairman, do I have the right to close?

The CHAIRMAN. The gentleman from Pennsylvania (Mr. GOODLING) has the right to close.

Mr. MARTINEZ. Mr. Chairman, I yield myself the balance of my time, which is how much?

The CHAIRMAN. The gentleman from California (Mr. MARTINEZ) has 3 minutes remaining.

Mr. MARTINEZ. Mr. Chairman, I yield myself the balance of time, and in order to respond to the gentleman from South Carolina (Mr. DEMINT), who spoke last, I think there are people who are actually in the education industry that disagree with what he just said. And let me just read what the National School Board Association said about my legislation.

''It is much stronger legislation. Far more targeted Federal dollars are needed if the Nation's public schools are to ensure that students, particularly those in poverty, have a real opportunity to improve student achievement.'' That was on July 16, 1999.

The California Chief State School Officers: ''The Martinez substitute would target Federal resources to two distinct but companion Federal policies without making them compete one against the other for a fixed pot of funds.''

□ 1745

''H.R. 1995 greatly reduces the targeting of Federal resources to the neediest districts with the highest poverty, largest class size and greatest shortage of qualified teachers.''

That was on July 19, 1999.

The National PTA. ''The National PTA urges you to oppose H.R. 1995 when it comes to the floor for a vote on Tuesday, July 20, 1999. We suggest improving the bill by supporting the Martinez substitute, but if it fails, we oppose the passage of the Teacher Empowerment Act.''

That was on July 19, 1999.

The Leadership Conference of Civil Rights. ''We write to express our opposition to the Teacher Empowerment Act of 1999, H.R. 1995, unless it includes class size reduction as a separately authorized program and ensures that all students benefit from quality teachers to meet their particular needs. Combining class size reduction with other programs as proposed in H.R. 1995 will serve merely to undermine its effectiveness, particularly for low-income and minority students, by failing to achieve the goal of hiring 100,000 qualified teachers.''

This was on July 16, 1999.

The American Federation of Teachers. ''The Democratic substitute would continue funding to school districts that need the money the most. H.R. 1995, as proposed, diverts program funds from high poverty districts.''

That was on June 29, 1999.

I urge all of the Members to understand that the people in the industry, the people that are on the front lines, the people who are concerned most about the education of our children, the people who have to respond to the criticism from everybody if they do not do a good job are all in support of my substitute, not the Republican bill, H.R. 1995.

With that, I would urge all of my colleagues to support my bill, vote for my bill and oppose H.R. 1995.

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

Mr. GOODLING. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, for years I sat beside a wonderful gentleman who was chairman of the committee and he would say over and over again, ''All of these programs we introduced to help my people have not helped my people.''

I would say over and again, ''Let's change them.'' We never did. Why did they not help rural poor? Why did they not help the disadvantaged? Why did they not help urban poor? Because there was no accountability. Just take the money, do whatever you want to do with the money. No accountability whatsoever.

So now we have an opportunity finally to do something to help the urban poor and the rural poor, the disadvantaged, because we can assure that they have a quality teacher in the classroom which next to their parents will be the most important thing that ever happens to them. Class size reduction alone does not do it. You have to have quality in the classroom.

A gentleman said he is surprised, he never heard anybody say anything about a teacher not being qualified in a classroom. He must have had his head in a hole somewhere. All the studies are saying it has failed. All the studies are saying that they have had to replace people when they had to add new teachers because they reduced the class size with people who were not competent and were not capable of teaching the kind of quality education the most needy children need.

We are in a real world, Mr. Chairman. Let us quit playing this game that somehow or other there are a few trees in Washington and we can pull off money here, there and elsewhere.

Everybody, you say, supports it. Of course they support it. More money. ''Don't worry about quality. Don't worry whether it does any good or not. Just give us more money.''

Oh, I have heard that for 40 years and it has failed and it has failed and it has failed. Now we have a golden opportunity. We know we are not going to get a lot more money. Now we have a golden opportunity to finally, finally insist that those most disadvantaged have a golden opportunity to get a quality teacher in that classroom that will make the difference in their life and will give them the opportunity to succeed like so many other young people have in this country.

Let us do it right this time. Let us admit we failed for 40 years. We have not helped the people we wanted to help. This is an opportunity now. Defeat the Martinez gift list and move ahead with legislation that will give us quality teachers in all classrooms for all children.

Mr. SAM JOHNSON of Texas. Mr. Chairman, I rise today in strong opposition to the Martinez substitute and in support of the Teacher Empowerment Act.

This bill demonstrates and defines the basic philosophy regarding education that separates Republicans from the White House.

Let's be honest—the President just wants a number. The latest mantra coming out of the White House is ''100,000 new teachers.'' It's a nice big number, and it makes for a good soundbite.

Never mind how the teachers are actually trained. Never mind if they truly know the subject they're teaching or not. That isn't the focus for the President—what he wants, quite simply, is for the Federal Government to pay for 100,000 extra bodies. Period.

Republicans believe it's better to have 500,000 better trained teachers than just 100,000 new ones. Instead of telling schools that they must hire teachers, we instead combine the current Federal teacher programs into one grant.

With this money, we let the schools decide how best to spend their money on teachers.

If they need to hire more, fine. If they need to train the ones they already have, even better. If they want to offer salary increases or merit pay, that's OK too.

The point is that we believe local schools and local school districts know their teacher situation better than some bureaucrat sitting in a cubicle in Washington, DC.

The Teacher Empowerment Act passed the Education Committee with bipartisan support, even after a strong, yet unsuccessful, lobbying blitz from the highest officials in the White House.

I think our kids deserve something more than just a sound bite from the President. They deserve to be educated by the best-trained teachers possible, and that's what this bill does. I urge my colleagues to reject the Martinez substitute and support the Teacher Empowerment Act.

Mr. UNDERWOOD. Mr. Chairman, I rise in support of Rep. MARTINEZ's substitute to H.R. 1995, the Teacher Empowerment Act. The intent of H.R. 1995 is admirable, but it falls short of key funding matters vital to our nation's schools and teachers.

Class size reduction was a bipartisan effort in the 105th Congress. H.R. 1995 threatens this agreement by allowing funds for this program to be diverted to other areas. On the other hand, the Martinez substitute not only increases funding for class size reduction programs, it also provides for its separate authorization doubling current funding, a clear signal that we are serious about improving our children's education.

Teacher quality and professional development are two more goals sought for in the Martinez substitute. It doubles the funding for these goals by authorizing $500 million in each of the fiscal years 2000 to 2004.

While H.R. 1995 attempts to funnel federal funds away from local education authorities, the Martinez substitute ensures that educational funding for grades K–12 are directed towards the ''state education agency'' responsible for elementary and secondary education. This ensures that federal funds are used together with the state or territory's own educational programs.

We clearly have a very simple decision to make today, whether we continue to be committed to our children and our teachers, or whether we choose to stifle our nation's educational excellence. I encourage my colleagues to vote yes on the Martinez substitute and no on H.R. 1995.

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

The CHAIRMAN pro tempore (Mr. EWING). The question is on the amendment in the nature of a substitute offered by the gentleman from California (Mr. MARTINEZ).

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

Mr. MARTINEZ. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 253, further proceedings on the amendment in the nature of a substitute offered by the gentleman from California (Mr. MARTINEZ) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 253, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: amendment No. 1 offered by the gentleman from Pennsylvania (Mr. GOODLING); amendment No. 10 offered by the gentlewoman from Hawaii (Mrs. MINK); amendment No. 11 offered by the gentleman from New York (Mr. CROWLEY); and amendment No. 12 offered by the gentleman from California (Mr. MARTINEZ).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. GOODLING

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. GOODLING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 424, noes 1, not voting 8, as follows:

[Roll No. 316]

AYES—424

Abercrombie	Berry	Callahan
Ackerman	Biggert	Calvert
Aderholt	Bilbray	Camp
Allen	Bilirakis	Campbell
Andrews	Bishop	Canady
Archer	Blagojevich	Cannon
Armey	Bliley	Capps
Bachus	Blumenauer	Capuano
Baird	Blunt	Cardin
Baker	Boehlert	Carson
Baldacci	Boehner	Castle
Baldwin	Bonilla	Chabot
Ballenger	Bonior	Chambliss
Barcia	Bono	Chenoweth
Barr	Borski	Clay
Barrett (NE)	Boswell	Clayton
Barrett (WI)	Boucher	Clement
Bartlett	Boyd	Clyburn
Barton	Brady (PA)	Coble
Bass	Brady (TX)	Coburn
Bateman	Brown (FL)	Collins
Becerra	Brown (OH)	Combest
Bentsen	Bryant	Condit
Bereuter	Burr	Conyers
Berkley	Burton	Cook
Berman	Buyer	Cooksey

Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—1

Paul

NOT VOTING—8

English
Hinchey
Holden
Kennedy
Lewis (GA)
McDermott
Peterson (PA)
Stark

□ 1814

Ms. RIVERS and Mr. BOSWELL changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

□ 1815

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. GIBBONS). Pursuant to House Resolution 253, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 10 OFFERED BY MRS. MINK OF HAWAII

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on Amendment No. 10 offered by the gentlewoman from Hawaii (Mrs. MINK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 242, not voting 10, as follows:

[Roll No. 317]

AYES—181

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Baldwin
Barcia
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinojosa
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Snyder
Spratt
Stabenow
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Woolsey
Wu
Wynn

NOES—242

Aderholt
Archer
Armey
Bachus
Baird
Baker
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hobson
Hoeffel
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard

Paul
Pease
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

English
Hilleary
Hinchey
Holden
Kennedy
Lewis (GA)
McDermott
Peterson (PA)
Porter
Stark

□ 1824

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. CROWLEY

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 11 offered by the gentleman from New York (Mr. CROWLEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 425, noes 0, not voting 8, as follows:

[Roll No. 318]

AYES—425

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—8

English
Hinchey
Holden
Kennedy
Lewis (GA)
McDermott
Peterson (PA)
Stark

□ 1831

Mr. GRAHAM changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. MARTINEZ

The CHAIRMAN pro tempore (Mr. GIBBONS). The pending business is the demand for a recorded vote on amendment No. 12 in the nature of a substitute offered by the gentleman from California (Mr. MARTINEZ) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment in the nature of a substitute.

The Clerk redesignated the amendment in the nature of a substitute.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 207, noes 217, not voting 9, as follows:

[Roll No. 319]

AYES—207

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinojosa
Hoeffel
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)

Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOES—217

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)

NOT VOTING—9

English
Hinchey
Holden
Kennedy
Lewis (GA)
McDermott
Peterson (PA)
Stark
Young (FL)

□ 1839

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PEASE) having assumed the chair, Mr. GIBBONS, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1995) to amend the Elementary and Secondary Education Act of 1965 to empower teachers, improve student achievement through high-quality professional development for teachers, reauthorize the Reading Excellence Act, and for other purposes, pursuant to House Resolution 253, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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.

RECORDED VOTE

Mr. GOODLING. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 239, noes 185, not voting 10, as follows:

[Roll No. 320]

AYES—239

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (FL)
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Eshoo
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Holt
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kind (WI)
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Miller, George
Mollohan
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Pease
Peterson (MN)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Tierney
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—185

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doyle
Edwards
Engel
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost

Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinojosa
Hoeffel
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Snyder
Spratt
Stabenow
Strickland
Stupak
Tanner
Thompson (MS)
Thurman
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—10

English
Hinchey
Holden
Kennedy
Lazio
Lewis (GA)
McDermott
Peterson (PA)
Stark
Waxman

□ 1859

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. GOODLING. 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. 1995, the Teacher Empowerment Act.

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

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN THE ENGROSSMENT OF H.R. 1995, TEACHER EMPOWERMENT ACT

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 1995, the Clerk be authorized to correct section numbers, punctuation, and cross references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House.

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

There was no objection.

REPORT ON H.R. 2561, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2000

Mr. LEWIS of California, from the Committee on Appropriations, submitted a privileged report (Rept. No. 106–244) on the bill (H.R. 2561) making appropriations for the Department of Defense for fiscal year ending September 30, 2000, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. All points of order are reserved on the bill.

FINANCIAL SERVICES MODERNIZATION ACT OF 1999

Mr. LEACH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 900) to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, insurance companies, and other financial service providers, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

□ 1900

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Iowa?

Mr. LAFALCE. Mr. Speaker, reserving the right to object, it is my understanding that it is fully the intent of the gentleman from Iowa (Mr. LEACH) to have conferees appointed, then have those conferees meet on this legislation, and for that conference to proceed on the same inclusive bipartisan basis that characterized the development of H.R. 10 in the Committee on Banking and Financial Services. If that understanding is correct, I would raise no objection.

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

Mr. LAFALCE. I yield to the gentleman from Iowa.

Mr. LEACH. Mr. Speaker, let me tell the gentleman from New York (Mr. LAFALCE) that that is the definitive intent of mine. I think it would be a mistake of the House not to proceed with proper order and that this bill should be considered under regular basis in a conference setting, and it would be my hope that conferees would be appointed in the very near future.

Mr. LAFALCE. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 900

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Financial Services Modernization Act of 1999''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—FACILITATING AFFILIATION AMONG BANKS, SECURITIES FIRMS, AND INSURANCE COMPANIES

Subtitle A—Affiliations

Sec. 101. Glass-Steagall Act repealed.
Sec. 102. Financial activities.
Sec. 103. Conforming amendments.
Sec. 104. Operation of State law.

Subtitle B—Streamlining Supervision of Bank Holding Companies

Sec. 111. Streamlining bank holding company supervision.
Sec. 112. Authority of State insurance regulator and Securities and Exchange Commission.
Sec. 113. Role of the Board of Governors of the Federal Reserve System.
Sec. 114. Examination of investment companies.
Sec. 115. Equivalent regulation and supervision.
Sec. 116. Interagency consultation.
Sec. 117. Preserving the integrity of FDIC resources.

Subtitle C—Activities of National Banks

Sec. 121. Authority of national banks to underwrite municipal revenue bonds.
Sec. 122. Subsidiaries of national banks.
Sec. 123. Agency activities.
Sec. 124. Prohibiting fraudulent representations.
Sec. 125. Insurance underwriting by national banks.

Subtitle D—National Treatment of Foreign Financial Institutions

Sec. 151. National treatment of foreign financial institutions.
Sec. 152. Representative offices.

TITLE II—INSURANCE CUSTOMER PROTECTIONS

Sec. 201. Functional regulation of insurance.
Sec. 202. Insurance customer protections.
Sec. 203. Federal and State dispute resolution.

TITLE III—REGULATORY IMPROVEMENTS

Sec. 301. Elimination of SAIF and DIF special reserves.
Sec. 302. Expanded small bank access to S corporation treatment.
Sec. 303. Meaningful CRA examinations.
Sec. 304. Financial information privacy protection.
Sec. 305. Cross marketing restriction; limited purpose bank relief; divestiture.
Sec. 306. ''Plain language'' requirement for Federal banking agency rules.
Sec. 307. Retention of ''Federal'' in name of converted Federal savings association.
Sec. 308. Community Reinvestment Act exemption.
Sec. 309. Bank officers and directors as officers and directors of public utilities.
Sec. 310. Control of bankers' banks.
Sec. 311. Multistate licensing and interstate insurance sales activities.
Sec. 312. CRA sunshine requirements.
Sec. 313. Interstate branches and agencies of foreign banks.
Sec. 314. Disclosures to consumers under the Truth in Lending Act.
Sec. 315. Approval for purchases of securities.
Sec. 316. Provision of technical assistance to microenterprises
Sec. 317. Federal reserve audits.
Sec. 318. Study and report on advertising practices of online brokerage services.