mistakes that have been made by others, but that we must address.

END-OF-SESSION ISSUES

The SPEAKER pro tempore (Mr. TANCREDO). Under the Speaker's announced policy of January 6, 1999, the gentleman from Pennsylvania (Mr. GEKAS) is recognized for 60 minutes as the designee of the majority leader.

BANKRUPTCY REFORM

Mr. GEKAS. Mr. Speaker, we are nearing the end of the current session as everyone knows and it is very apparent that nerves are frayed and that tempers are short but that is to be expected. That is an occupational disease of being a Member of Congress or of being the member of any parliamentary body anywhere in the world. But we have a special affliction here in Washington because we indulge in this almost every single year with every single year's budget, with every single year's end incessant haggling over minutia and some grand themes in this end-of-the-session battle in which we find ourselves once again.

Bankruptcy reform, which began some 3½ years ago in this very Chamber, is one of those grand items to which I refer as being includable in the end package of legislation which we will be considering in the next few days, perhaps after the new CR is passed even into next week. But there is a distinct difference in taking the bankruptcy reform measure and putting it at the end process for the purpose of yet one final vote on it. It is one that has been thoroughly debated. It is not like at the last minute some appropriator jams something into the omnibus bill at the end about which we know nothing and we are surprised months later to learn that there is a swimming pool now in the middle of the desert where never there was one before. Those kinds of special favor types of items continue to appear in the end product. We acknowledge that. Sometimes we wonder whether there is anything we can do about it except to adopt the proposal that I have proposed for 18 years, no, no, for many, many years now, that is, to have an automatic continuing resolution if we have not reached a budget by the end of the budget year.

In any event, the bankruptcy reform bill is not like that swimming pool in the desert. Rather, it is a measure that has been well received by Members of the House, by Members of the other body, by the business community, by the credit unions of our Nation, by taxpayers groups, by taxing authorities like States and local governments, all manner of working entities in our country have testified before us, giving us ample evidence upon which to base this movement to make sure that everyone gets a new start, a fresh new start who deserves one but who, by the same token, will guarantee in that process that those who can repay some of their debt should be compelled to do so in a fair, proportionate way in which we have fashioned the mechanism for doing just that.

So when we bring this massive bankruptcy reform bill to the end game, we are not shoving it into some omnibus bill hoping that nobody sees it. No, we are bringing it to the floor after I would say one of the most thorough continuing debates that any subject has received for many, many years. I know, because I and my staff have been involved in it from the very beginning, through many, many hearings, hundreds of documents, many private discussions and consultations with bankruptcy experts and with credit institutions and with bankrupts themselves, people who have filed for bankruptcy, women who are left in a home without a husband, without a provider, providers, people who deal in State government with the complex problems of support and support collection. You name it, we have heard from that kind of individual in our regular hearing process. That is what is so bountiful in the outcome of the bankruptcy reform movement, that indeed it is the product of every coloration in our society of people who have to do business with each other in order for this economy to continue to work as well as it has.

By the way, in almost every set of remarks that I make back in my district about bankruptcy reform, I pride myself in reasserting that within the hearing process, it was not just a cameo appearance by people where we knew what their testimony was going to be and we ho-hummed our way through those hearings, I have to maintain and I will to my dying day that the final product of bankruptcy reform reflected actual testimony recommendations and clarifications made by the witnesses from out there in the world of commerce and in the world of the bankruptcy courts themselves. So it was not as if we were prompted by a pre-prepared agenda with cooked legislation that we were just going through the motions in these hearings but, rather, an intense investigation into the entire process. We learned from it.

I remember after the first hearing that someone testified on behalf of, I think, women, or single mothers or people who were devoid of support in their own household, but I was so struck by it that I instructed my staff to make sure that the next time there will be language in our next version of the bankruptcy reform that will cure the problem brought to us by that witness. As I say, this was legislative magic at its best, witnesses testifying, developing solutions to problems, and we who were charged with the responsibility of packaging all that in a reform measure succeeded in doing so.

Mr. Speaker, I yield to the gentleman from Colorado.

EDUCATION

Mr. SCHAFFER. I thank the gentleman for yielding. I want to talk about education. Tonight there will be a debate between the two Presidential candidates and we of course all across the country are looking forward to that. Education is likely to be one of the issues raised. I say this because, politics being as it is, candidates tend to look to opinion polls to help identify those issues that are the most important to the people in the country. When they are inclined to do that in America today, they will find that education is the number one issue on the minds of most Americans. My point tonight is twofold, one, I want to talk about some of the work we have done here in the United States Congress as a Republican majority and as Republicans across the country to try to elevate the importance and prominence of education and to push forward a plan that is designed to improve the quality of education in America, and secondly I want to talk about what has been done over the last 8 years, because, without a doubt, the Clinton-Gore regime that has held the White House for the last 8 years has defined itself as an administration that has missed many opportunities and has failed to lead with respect to education.

I will start out by quoting the Vice President. He published a report called Report of the National Performance Review. It was published in 1993. In that report back in 1993, here is what the Vice President said, and I quote:

> The Department of Education has suffered from mistrust and management neglect almost from the beginning. To overcome this legacy and to lead the way in national education reform, the Department of Education must refashion and revitalize its programs, management and systems.

My point being, Mr. Speaker, is that going all the way back to 1993, the Vice President of the United States fully understood the nature of the U.S. Department of Education, an agency that hemorrhages cash on virtually a day-by-day basis. This is an agency that we look to to try to get dollars to the classroom, to utilize the education expenditures of the American people in a way that will help children learn but, to our disappointment and even to the disappointment of the Vice President and others over at the White House, this Department of Education has failed in its noble mission.

One does not have to look too far to find examples of that. Here is the reality of what has occurred since 1993. Just a few month ago, the General Accounting Office in reporting to the Committee on Education and Workforce of the House said the following, and I quote again:

> The Department is riddled with continued weaknesses in information systems controls which increase the risk of unauthorized access or disruption in services and make Education's sensitive grant and loan data vulnerable to inadvertent or deliberate misuse, fraudulent use, improper disclosure or destruction which could occur without being detected.

That was in testimony to the Subcommittee on Oversight and Investigations going back to March of this year.

We have seen similar other kinds of characterizations of the Department of

Education as we in our efforts to try and be frugal with the taxpayers' money have asked hard questions about where does the money go. It is frustrating as a parent myself of five children, three of them in public schools today, to learn that of every dollar that we spend on education through our Federal budget, only about 60 percent of those dollars is actually spent in the classroom. In other words, there is upwards of 40 percent, and that is probably a generous estimate, that is wasted, squandered, lost, lost through fraud, lost through abuse, sometimes lost through crime. I will go through some of those examples here today because it underscores our Republican effort around the country to try to get dollars to the classroom.

There is a difference of opinion here in Washington and a difference of opinion that will be expressed later on tonight by the two candidates for President of the United States.

□ 2015

Democrats have always been in favor of spending more money. Whether it comes to the Department of Education or any agency, spend and spend and spend has been their philosophy. While we are not necessarily always opposed to spending if it is for a good and just cause, our Republican philosophy is very different. It is one that says spend wisely, be accountable for how money is allocated and budgeted and spent. So we are the party, the Republican Party, that asks the tough questions about where do these dollars go? How is the money allocated? Has it actually reached children in classrooms? Has it been effective? As parents we are just kind of normal people who ask these questions as most normal people would when they come to Washington, D.C. We work hard as all taxpayers do to earn various livings and come from various professional and employment backgrounds. We pay taxes to the Federal Government. We do not like paying taxes, but we are willing to do that when it is right and when the cause is just; but we expect people here in Washington will follow the money and make sure that when we say we are going to spend a dollar on education we actually do it.

It was not until the Republican Party took the majority of the Congress that these difficult questions were even asked in the first place. Here is what we found out: the U.S. Department of Education in 1998 could not even audit its books. We set up a very rigorous evaluation process. We required every Federal agency to come up with a new standard of accountability to hire outside auditors to come in and examine their books, give an outside professional unbiased opinion of the finances of various Federal agencies, and the U.S. Department of Education came to us in the 1998 audit and the independent auditors actually said the books were so bad over there, so poorly managed, that they could not even audit the books, let alone tell us how the dollars were spent.

In 1999, Mr. Speaker, things did not get much better. The Department was able to finally balance its books but it, of course, failed that audit. So we find these reports coming back to us from independent auditors, from government auditors, painting a very bleak picture when it comes to the accountability of the funds that are spent down the street at the United States Department of Education.

Now we still want to have a powerful role and an important role in improving schools across the country, but we point these examples out to show that there really are two different approaches to how we improve schools in America. There is the Democrat approach, the Al Gore approach, that says just spend the money, never ask the tough questions, never mind whether the dollars really get in the classrooms; whether these dollars spent really improve student performance; whether they really improve our standing among international peers. Just spend the money and that is the right thing to do because, after all, we care about education, we care about kids; and if we just spend the money, things will sort of correct themselves.

That is in stark contrast to what we will hear the governor of Texas speak about tonight and what Republicans stand for and have stood for here in Washington, which again says there is money to be spent; and we believe that the Federal Government has some role to play in trying to help local administrators, school board members, superintendents, and teachers teach children; but we really are about accountability. We want to make sure that we squeeze every ounce of efficiency out of every dollar that is spent, and we start by being honest about what is wasted, what has been abused, where fraud, where theft has occurred over in the Department, and we raise those important issues, not to embarrass anyone. We do want to cause a certain amount of alarm, I suppose, because these issues need to be addressed; they need to be fixed.

That ultimately is our goal to fix these problems and create a Department of Education that actually is on the mark; that actually helps children learn; that really gets dollars to the classroom and creates, through a system of assistance with the various 50 States, a support system that allows those States to define their educational priorities and to ultimately meet them and help children, because that is what really matters in the end.

It does not matter how much money we spend. It does not matter how many new programs we create. What matters more than anything else is results and what we can do here in Washington that helps children learn.

Now we have a great record where this is concerned as a Republican majority. We have passed legislation over the last few years that is intended and designed to shrink the size of the U.S. Department of Education, to consolidate programs. There are some 760 education programs spread out throughout several different agencies. We want to consolidate those programs.

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

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

Mr. GEKAS. Mr. Speaker, I noticed that at the exact moment when the gentleman from Colorado (Mr. SCHAFFER) was talking about the fact that the Federal dollars that are being spent could be better spent at the local level, in walked the gentleman from Pennsylvania (Mr. GOODLING), who for years has been determined to make certain that we know that the best way to spend those dollars is at the local school board level.

Mr. SCHAFFER. Mr. Speaker, I thank the gentleman for those comments.

Mr. Speaker, I was waiting for the gentleman from Pennsylvania (Mr. GOODLING) to grab a microphone there so I could recognize him and yield some time to him as well, because it has been the Republican leadership on the House Committee on Education and the Workforce, under the direction of the gentleman from Pennsylvania (Mr. GOODLING), and also the efforts being led by Republican governors throughout the country, that have shown a new way to reach out to children and to manage government programs in a way that helps kids far better than what we have seen come out of the White House over the last 8 years.

We have focused on some key principles that I know the chairman cares deeply about, and principles that he has made the basis for the work that we have done and undertaken in the House Committee on Education and the Workforce, and those principles are all about recognizing the strengths of local communities, of States, of recognizing the autonomy of parents to play the primary role in helping drive the education of a child and local communities. And ultimately this message of accountability is something that we talk about every day.

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

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

Mr. GOODLING. Mr. Speaker, I thank the gentleman for yielding, and I want to echo some of the things that he has already said. For the first 20 years in the Congress of the United States all I ever heard was that if we just had another 100 programs from the Federal level, one-size-fits-all, if we just had a few more billion dollars, if we just could participate more from the Federal level, that somehow or another we would close the achievement gap with the disadvantaged youngsters because that is our major role from the Federal level.

Well, obviously it did not work, and every study showed that it did not

work. One-size-fits-all from Washington does not work. So we wasted a lot of money, but worse than that a lot of time because what happened is we cheated children, pre-school children particularly in Head Start, for the first 10 years because nobody ever talked about quality. The only thing we talked about was if we could just cover more children that somehow or another that would work. What they forgot was that it was supposed to be a reading readiness program and a school readiness program; but what it turned out to be was, as a matter of fact, a poverty jobs program and a baby-sitting program.

We finally got it turned around.

So when we became the majority, we said, gee, we have to change. The taxpayer is not getting very much for the money but, more importantly, the children who are to benefit from all of these wonderful programs, one-size-fits-all from Washington, were not getting any help. So the achievement gap, of course, never closed.

We said we are going to have, first of all, seven key principles that Republicans are going to push every time we talk about any legislation from Washington, D.C. Number one, if it is not a quality program, then do not bother with the program. Get rid of the program. We need to have better teaching. We need to have local control. We need to have accountability. We need to make sure that we get the dollars to the classroom, where they can really help the children. We need to make sure that we return to basic academics and parent involvement but not only parent involvement, parent responsibility. The reason public charter schools work, one of the major reasons, is because of the parent responsibility. They are responsible to enforce the dress code. They are responsible to enforce the homework code. They are responsible to get the children to school and get them home from school. They assume that responsibility. Now what does that do? That attracts the best teachers. That attracts the best administrators, the best supervisors, because they want to teach. They want to be in an environment where they can teach. So one of the very first things we talked about, even before we became the majority, was we need to give flexibility to the local school districts to design these programs rather than say here is one-size-fits-all, take it or like it, even though you do not benefit from it.

So we got a token before we became the majority. We said here we will give you six States for flexibility and they said we will give you 12 now the next time. Two of those States that did very, very well with the flexibility they got were Maryland and, above all, Texas. Governor Bush reached across the aisle, working with a Democrat majority in the House and the Democrat majority in the Senate, and said we have to do something about improving education for all children in this State. So they got about 4,000 waivers from the Federal Government. They could commingle money. They could make programs work. They could design them the way they believed they will benefit their children. The result is that their Black and Hispanic students are achieving above the overall average of all of their students. Now, that is giving you flexibility with accountability, and accountability is the big word.

Mr. SCHAFFER. Mr. Speaker, the gentleman from Pennsylvania (Mr. GOODLING) has been on the front line in the negotiations and in the real fight that has taken place here in Washington between the Republican-oriented solutions with respect to education and the Democrat-oriented approaches to education that come out of the White House. This key philosophy of flexibility is so important. There are many of our colleagues and many people around the country who think these are just nebulous terms and some kind of nebulous debate on the point of flexibility; but those of us who are in the well on a day-to-day basis fighting over the concept of flexibility see the real difference that takes place based on who the leadership is down at the White House.

So I am wondering if the gentleman from Pennsylvania (Mr. GOODLING) would perhaps take a little more time and maybe describe for our colleagues what takes place at some of these meetings when there is a Republican philosophy of flexibility sitting across the table from the Democrat philosophy as proposed by AL GORE of a centralized, Washington-knows-best attitude. It is a real clash but one that I believe we need to win on the side of flexibility. I think it is critical and important for our children, and I was hoping the gentleman would elaborate a little further on that point.

Mr. GOODLING. I think that it has been a slow learning process for the minority, because I think they are at the point now where they realize these programs did not work. Well intended, no question well intended, but they now begin to realize, and we hear the word flexibility mentioned now on the other side of the aisle. We hear different things mentioned that we never would have heard for years because the programs did not work. So now they are saying, hey, it looks like Texas, for instance, was very, very successful with that flexibility.

What does it mean to a State? Well, first of all, before we allowed any kind of flexibility, the only purpose for the Federal auditor to go out into that school district was to see whether the money was spent on the right student.

□ 2030

They were not sent out to see whether the students were benefiting from what is being spent. They were just sent out to see, is the money going to the right children?

Obviously, it was going to the right children, but it was not helping those children. So this is the battle we go through every time, the philosophical battle of another Federal program, one-size-fits-all from Washington, D.C. will solve these problems; another $1 billion will solve these problems. It has not worked.

So we have now taken a different approach. As I indicated, we have these seven key principles, but beyond those seven key principles, of course, is what is happening with the flexibility that is going back.

Governors, local school boards, are so far ahead of us on the Federal level when it comes to reforming schools. They are on the front line all the time. They understand it. So that is why 50 Governors said, Hey, 12 States have flexibility; how about all 50 States? When we get 50 Governors on our side of the aisle say, hey, it is working, we all want it, and obviously the President then had to agree. We sent him legislation and he signed it.

The important thing is that as we brought the legislation then to the floor, every piece of legislation was based on these seven key principles. So when we did the Individuals with Disabilities Education Act, we said, let us talk about the seven principles here when we redesign that program, and we did it.

IDEA full funding, again, in those first 20 years I kept saying over and over again, if we really want to help the local school district, I will say the best way we can do that is to step up to the plate with the 40 percent that we coaxed them into this program, guaranteeing them 25 years ago. When we became the majority, we were only up to 6 percent. We are now up to about 15 percent.

What that means is every low-income school district has to take their local funds to support the IDEA mandates from Washington, D.C., which means they must take it away from every other program. That is why I would tell them, if we want to reduce class size, send them the money. They will reduce class size. If we want them to repair a building, send the IDEA money, they will repair buildings.

But no, we need a new program from Washington. That is what we have heard the last couple of years, with our battle over 1,200,000 teachers; our battles over school construction.

We passed the Reading Excellence Act, again saying, on the local level, they know how to do that. But above that we say, use the scientific knowledge that we have on how to teach reading. Do not get into the fad businesses that so many districts unfortunately fell into.

Our charter school expansion, in my estimation, probably the only hope for many center city children is the charter school program, again because the parents are very much involved. The parents are demanding excellence from their children, excellence from their schools, and the best teachers went there. It may be their only hope of getting a piece of the American dream.

As I mentioned, Head Start, how did it take us so long when every study told us we were failing? How did it take us so long to really do something to make it an effective preschool program?

Promulgating the new Federal tests, we were going to spend $100 hundred million. First of all, the Department of Education was going to design the tests. That would be the last group that I would want to design some tests. But unless we know what the new higher standards are, unless we prepared the teacher to teach the new higher standard, unless we then test the teacher to say they are ready to teach the new higher standard, why would we spend $100 hundred million to design some national test to tell 50 percent of the children one more time they are not doing very well?

The Dollars to the Classroom Act, again, that is where the money counts, down where that teacher is, down where that building principal is. The Vocational Technical Education Act, again the whole thing was based on those seven principles. The Teacher Empowerment Act, we say if they are not getting the proper in-service program, they could take a voucher and get their own in-service program. They know where they can get the best in-service program.

The Students Results Act, again, all we have to do out there in the State and in the local district is show that all of the students improve academically, and then they have the freedom to do what they believe is necessary to bring that about.

We are moving in the right direction. We have to keep moving in that direction. We cannot stop now, or what we will get back to again is, okay, if we just have a new 100 programs that will do the job; if we just spend another $100 billion, that certainly will do the job. Yet, we will repeat the same failures over and over again because Washington does not have the answers. The local area has the answers.

So I thank the gentleman for taking this hour this evening to again remind the American people what our approach is and why it is different, and why it is taking hold and why it is working, and why the Governor was successful in Texas after we gave them the opportunity for the flexibility.

So I appreciate the gentleman's taking this opportunity to remind the American people once again the direction we are trying to move this whole education issue in.

Mr. SCHAFFER. Mr. Speaker, I thank the gentleman for joining me here on the floor.

I want to go back to the top of the chart here in a moment, but there really is a remarkable difference between the two individuals who the American people will watch later on tonight, and will choose among in deciding who our next president will be in just a few weeks.

The Texas example is almost miraculous on how far students improved in academic achievement in the State of Texas under Governor Bush's leadership versus what we have seen here in Washington for the last 8 years of a White House where President Clinton and Vice President GORE have fully understood, and they even wrote books about the poor management in the Department and the reality that there was not enough flexibility, where we are not getting enough dollars to the classroom. Yet, they have done nothing.

This is an administration that for 8 years has squandered their opportunity to help improve schools, and to look to the real examples and the real bright spots around the country where Republican Governors like George Bush have led the way in academic success and achievement for students.

This Individuals with Disabilities in Education Act is I think one of the most important things we can focus on here in Washington. Just by way of background for our colleagues and those who are monitoring tonight's proceedings here on the floor, the Individuals with Disabilities in Education Act was really initiated by the Supreme Court under civil rights legislation.

Congress took the ball from there, but it was the Supreme Court that drove the legislation underlying the Individuals with Disabilities in Education Act, thereby making it one of the few really legitimate roles that the Federal government plays in reaching out to some of the neediest children and trying to equalize the playing field so those children can have an opportunity to learn.

What Congress has done over the years is created this huge program which has become a mandate on local States. In other words, the Federal government created the rules, and we have told 50 States they must implement this IDEA program the way the Federal government says they will.

In exchange for that, the Federal government initially promised to pay 40 percent of the expenses associated with implementing that mandate. Many people around the country really rely and children with disabilities really rely on this program and this mandate, and they are counting not only on the program to be implemented accurately and effectively, but they are also counting on the program to be funded.

So we have actually had to fight with the White House, Republicans had to fight with the White House, to try to get us to a point where we are increasing appropriations for the Individuals with Disabilities in Education Act. We do not get a lot of help from AL GORE and President Clinton down there at the other end of Pennsylvania Avenue.

Mr. GOODLING. As a matter of fact, Mr. Speaker, two budgets submitted by the White House in a row had a decrease in funding for special education, 2 years in a row.

Mr. SCHAFFER. It just defies logic, but again it points out my point that these folks have had 8 years to try to help, to try to help local schools. They have really blown the opportunity. Even when they have Republicans, and we are conservatives and we like to spend less when we can, but here is a program where we believe we ought to pay for what the government promised, and we have no assistance from the White House. AL GORE, Bill Clinton, had other things they wanted to spend money on, not children with disabilities in education.

It is important not only for those children, but it is important because even when Congress does not fund the program to the extent that it promised, the responsibility for carrying out the program still exists.

Every principal of every school in this country has to continue to unfold and provide these services under the Individuals with Disabilities in Education Act, just as the law says, and it does not matter whether we provide the money.

That is the real hardship, because what a principal has to do is steal funds from other places in his or her budget. They have to take money from the pay raises for teachers. They have to take money from the staffing budget, providing perhaps more teachers for classrooms. They might have to take the money from the transportation budget, or maybe the technology budget.

Mr. GOODLING. The maintenance.

Mr. SCHAFFER. Maybe fixing the leaky roof is something that has to wait a couple of years because the Vice President has not been willing to help us in our effort to fully fund IDEA.

That I think is probably the most graphic and dramatic statement of how this philosophy of ours towards flexibility has very real implications on every single classroom in America. That is precisely what we heard as we have traveled around the country.

The gentleman from Pennsylvania has helped today unveil his Crossroads 2000 Report, called ''Education at a Crossroads.'' This is really a report that one of the gentleman's subcommittees, the Subcommittee on Oversight and Investigations, had put together as a result of traveling all across America visiting with education professionals, students, parents, teachers, and all the rest.

What they tell us more often than not is this. They tell us, and we can read it right in the report, and for our colleagues, I would urge them to get hold of the Committee on Education and the Workforce for a copy of this report, or my office or the chairman's office, and we will make the report available to anyone who wants it.

But what we are told as we travel around the country is this: Do not create new programs. In fact, do not spend a dime on creating more government, more Department of Education bureaucracy. Do the basics first: Fully fund the Individuals with Disabilities in Education Act, and that frees up

local schools to pay for the priorities that are truly important in various locations, because the priorities in New York are not the same as they are in Pennsylvania or as they are in Colorado or California. They vary from State to State.

Mr. GOODLING. New York City would get an extra $190 million if we were fully funding the 40 percent, and Los Angeles would get another $90 million.

When we talk about class size reduction, when we talk about school maintenance, think what they could do with that kind of money if they did not have to spend it on our mandate.

Mr. SCHAFFER. Perhaps we can talk about that for a moment, because we have been to New York, to California, and around the country. Even in a big city like Los Angeles, $90 million is not pocket change. That is real money.

Mr. GOODLING. Over 25 years, $90 million a year for 25 years, that sounds like big money to me.

Mr. SCHAFFER. We have heard through the course of the presidential campaign that Congress and that the Federal government should do something other than fully fund the Individuals with Disabilities in Education Act.

We have heard the Vice President talk about his goals for trying to manage local schools from here in Washington. Our answer is very different. Ours says, let us fully fund the mandates that are there first.

Let us give Los Angeles, for example, the $90 million a year to spend on whatever they want. If they want to fix the roof, that would be their prerogative. If they want to buy new computers, they could do that. California just had a class size reduction program that the voters voted for.

It makes no sense for the Vice President, in the case of California, to now say, no, I am going to invent a new program for class size reduction, and the fact that you have already accomplished this goal is irrelevant. We are going to give you more money to do things you do not need.

Mr. GOODLING. Mr. Speaker, in that area, of course, last year when I was negotiating this 100,000 teacher business, at the end of the year I made it very, very clear, the gentleman mentioned that the administration, the President and the Vice President have had a great opportunity in the 8 years.

I pleaded with the President, and I said, he can talk about class size reduction, but if he does not have a quality teacher to put in that new classroom, I will guarantee it does not matter whether the teacher-to-pupil ratio is 12 to 1, 20 to 1, 30 to 1, it is not going to make a difference.

Of course, what was the first 33 percent we allowed him to have? More than 30 percent of those had no qualifications whatsoever.

Mr. SCHAFFER. It comes right back to the rallying cry that the gentleman has espoused over and over again, focus on quality, not quantity. We see that not only with this effort toward hiring more employees in schools, but we hear it when it comes to even school construction, that it is just that the White House is intent on just spending the money, and really has no plans to focus on the quality. They never have. In the 8 years they have held the White House, their own reports verify they have never ever focused on quality.

Mr. GOODLING. When we were doing that negotiating last year, it was a perfect time. The New York News newspaper had total front page coverage which said, Parents, do you recognize in New York City, 50 percent of your teachers are not qualified? And I would hold that up every time they would talk, and remind them again, if we cannot put a quality teacher in the classroom, we are not going to help the child.

Mr. SCHAFFER. I am wondering if the gentleman would also be able to tell us about his experiences with the vast numbers of education leaders we have met with from throughout the country who have testified before the Committee on Education and the Workforce, reiterated the kinds of things we have heard in the Crossroads Report that fully funding the Individuals with Disabilities in Education Act really represents the ultimate in flexibility. We hear this routinely. I know the gentleman has, as well.

□ 2045

I am wondering if the gentleman could share some of his experiences.

I might also point out, Mr. Speaker, as many of our colleagues know, the gentleman from Pennsylvania (Mr. GOODLING) prior to coming to Congress was a school superintendent and one who understands full well how fully funding Federal mandates frees up local leaders to focus on the real priorities, which is ultimately helping kids far better than anybody here in Washington can do.

Mr. GOODLING. Mr. Speaker, in IDEA, as we indicated, for instance, they were promised 40 percent of the average expenditure for students all over this country. Now, 2 years ago, that average expenditure per pupil was about $6300. If they were getting their 40 percent, we can see they would be getting $2500, $2600 for each child. Instead, when we started, they were getting about $400. We are now up to about $600 or $700. We will get to about $800. That is a long way from that $2600 that we promised.

If they have that extra money, as I indicated before, they then can take care of pupil-teacher ratios. Again, this is why we negotiated for 100,000 teachers. If we need money to improve the teachers that we presently have, use it for that purpose. That is very, very important. We need to make sure they have the best quality programs they can have to become better teachers, and that is so important.

Mr. SCHAFFER. The White House has also fought us on this notion of expanding Ed-Flex to all of the 50 States. There were 12 States that piloted this flexibility act where some achieved great things.

The State of Texas as we mentioned as raised dramatically achievement for minority students, for black students and Hispanic students. In fact, the rate of improvement for school children in those categories was far higher than anywhere else around the country. And that is dramatic testimony to the power of flexibility and choice by governors.

We wanted to expand that same kind of liberty to all 50 States. We have received opposition from the White House from the moment we started talking about flexibility for all.

Mr. Speaker, I am wondering if the gentleman might spend a little bit of time talking about that experience.

Mr. GOODLING. No question about. The minority and the former majority and the President were very much opposed to flexibility. As I indicated, when it became that successful for those who undertook that opportunity or took advantage of that opportunity, the President then, of course, got all sorts of heat from 50 governors, and then we were able to move that.

What we also said from our side is not that we even want to do that, but we want to also give them the Student Results Act so they have no trouble commingling money to make programs work. When we have a thousand programs, in this case, 700 and some programs, the amount of money each program gets is so small that we cannot do anything worthwhile with it, but if we try to commingle any of it, as I said earlier, we are in trouble with the auditors.

So we say in the Straight As, we can commingle those dollars, all you have to do is prove to us that you can make sure every child improves academically.

Now, I have been told by some States, well, we have enough flexibility. We know what they are saying. They are basically saying we are just happy to take your money. You do not ask us for anything in return. We just take your money, and we do the same thing over and over again.

We do not have a new idea or a creative idea in our heads, so we will just go on taking the money from the taxpayers, from the Federal Government, because we do not require quality. We do not require anything.

It is catching on, because as I said, Texas is a great success story. Maryland has done well. So my hope is that as I retire, we do not forget what the gentleman said what he hears in his sleep every night, quality not quantity, results not process.

Let us get them to stop spending hours and hours and hours of paperwork. In IDEA alone, we use teacher after teacher after teacher in IDEA, because they spend so much time on paperwork that they cannot do what they are trained to do, which is to teach

children, which is what they want to do.

Mr. SCHAFFER. That is the real hardship, I might add, that we see with all of these Federal programs is the paperwork, the red tape, the rules that go along with what amounts to pretty small amount of funds.

The gentleman is right that with so many Federal programs, we spend a lot of money in Washington, about $40 billion a year just on the program costs for the U.S. Department of Education, and that is not even mentioning the other $80 billion that is managed through student loans by the U.S. Department.

We just need to focus on the $40 billion that we budgeted and allocated towards education, each dollar is sent out from Washington to various States and school districts with all kinds of requirements attached to it, much of which has nothing to do with the quality of education. Some governors frankly do not understand that.

This is an easy process for some of them. As the gentleman said, they just get the money from Washington, and they turn around and spend it, and it appears to their constituents that they are accomplishing something with nothing.

Again, where the real hardship is realized is at the street level, at the schoolroom level, the classroom level, where these principals, administrators, secretaries, teachers have to deal with these monotonous rules and these monotonous regulations.

Only about 6 percent to 7 percent, maybe sometimes 8 percent of a classroom budget is Federal funds. The rest comes from your State or it comes from local property taxes. So a tiny portion is all we are talking about when we are talking the amount of dollars that goes into a classroom.

The tragedy is for the 6 percent, 7 percent or 8 percent of Federal funds that makes it into a classroom, probably 50 percent to 60 percent of the paperwork requirements are attached to that small amount of Federal dollars. That is what we want to eliminate.

We want to allow flexibility so that we can actually increase the power of the money that is already spent. We do not need to really spend more, if we just spend it more wisely. We can be more effective.

Mr. GOODLING. When we were negotiating the 100,000 teachers last year, the first thing the administration said is we have to take about 10 percent off the top, I think they wanted 15 percent, to keep on the Federal level. I said, wait a minute, you are not hiring the teachers. The local school board is hiring the teachers. Then they called back and said we certainly need 10 percent for the States off the top.

I said, wait a minute. The State is not hiring the teachers. The local school districts are hiring the teachers; that is where the money should go. Of course, we won that argument because it makes sense.

Mr. SCHAFFER. That is the educational empire which the gentleman just described, which is so hard to understand. There is such momentum, and all of these people that are employed, and not only at the U.S. Department of Education, but the State Departments of Education, they make careers out of this paperwork and these rules. Somebody reads all of this stuff.

Somebody actually opens up the mail when the superintendent fills out the paperwork and sends it to Washington. There is a person here in Washington whose job it is to open up all of these forms and compile them and collate them and make reports on them.

When we start talking about getting rid of the rules and regulations, consolidating programs and increasing flexibility, our goal is to help children. Unfortunately, some people in Washington feel threatened by our objective to help kids.

There is a huge bureaucratic empire that is sustained through all of the monotony, and that is the objective of the Vice President and President. They have worked tirelessly to preserve this large bureaucracy to preserve all of these rules, to preserve these regulations, and make decisions here in Washington D.C.

Our message, our Republican message, is very different, one that the Governor of Texas tonight and every time he speaks articulates for us so well; that is, we should not be trusting of the bureaucrats in Washington. We should be trusting of the teachers who actually know the name of the children.

We should be trusting of the principals who knows the name of the teachers. We should be trusting of the superintendents who can name all of the principals and many of the players in a school district. We should also be trusting the school board members who make the policy decisions who are elected by local communities, by our friends and our neighbors.

The farther away we get from the classroom in terms of decision-making, accountability, the poorer the decisions are made, and the greater the opportunity for mismanagement. My goodness, the President and the President's own agencies have documented this repeatedly, they have written books on the matter of waste, fraud and abuse in their own agency, which are replete with examples and there are real opportunities to fix these problems and get the money to the classroom.

After 8 years, the Vice President has done nothing. He has not lifted a finger to help us in our efforts to streamline this bureaucracy and get the money, get the flexibility, get the decision-making to the people who deserve it.

Mr. GOODLING. I am reminded each time that we were negotiating that both the President and the Secretaries were governors. Think in terms of being a governor, rather than being a Washington bureaucrat, and you will be offering far better solutions to problems, than being a bureaucrat in Washington, D.C.

Mr. SCHAFFER. Of course, Governor Bush understands the perspective of being a governor. He has worked in partnership, not always Republicans; this has not been solely a Republican success, although, it is a Republican philosophy. He has had to work with Democrats here in Congress as well, Democrats of the Texas delegation, Democrats in the Texas State House and the State Senate.

He understands working across the aisle, and that is a real sign of leadership when somebody can, as Governor Bush has done, raise the priority of children over and above everything else, over and above the bureaucracy, over and above the politics and state as a public goal, the number 1 objective for education is to raise the achievement of all children. We are going to start with the ones who are suffering the most.

We have seen the Governor of Texas accomplish that in his State. It has just been remarkable how that kind of leadership has brought all of us together toward that goal. What I am afraid of is that many Americans may not realize the conflict in vision between these two men running for President of the United States.

We have the Bush model from the perspective of a governor that we support that says children should be the number 1 objective of our education reform efforts; that is in stark contrast to the 8-year record of the Vice President, which has been to preserve bureaucracy, to preserve waste, fraud, abuse and mismanagement, to write books on how bad it is, and spend 8 years doing nothing about it. That is a huge conflict in vision and an important choice that I think we all need to think about very seriously.

After this election, the gentleman and I and all of our colleagues here in Washington are going to have to deal with the attitude of the White House.

Mr. Speaker, I am hoping the Bush attitude of putting children first is something that we all will be celebrating and rallying around. I know many people around the country will learn more about that tonight.

I am fearful that not enough share our enthusiasm for putting children ahead of bureaucracy and may be persuaded by this simple, unimaginable message that we hear coming out of the White House and from the Vice President that just says spend more, spend more, spend more. There is nothing else to say, just spend more.

Mr. GOODLING. Again, there is no question that we are moving in the right direction as a new majority, because we are putting children first. Everybody should be thinking about putting children first. They are our future. The tragedy is that 50 percent of our children today are not going to be ready to get a piece of the American dream in the 21st Century, the high-tech century. What a tragedy.

We are going to vote again to bring another 200,000 people from other countries to do our high-tech jobs, our $40,000, $50,000, $60,000 a year jobs because we do not have our own ready to take those jobs.

We cannot survive as a great society if we continue to do that. We must tackle the problem.

Mr. SCHAFFER. The contrast again could not be clearer. The Texas record is one of improving test scores. This is a graph of the Texas 4th graders when it comes to reading skills. Back in 1994, when Governor Bush took over the governorship in Texas, only 75 percent of Texas 4th graders could read at grade level, and that has increased to almost 90 percent in 1999.

That is a remarkable improvement. This is a huge contrast to what has been created by the Clinton-Gore administration. If we take, for example, the third international math study, math-science study comparison, which ranked American students Nationwide against their peers with 21 other industrial countries, we come in 19th.

This is something we have known about for 8 years that the Clinton and Gore regime have occupied the White House, and our test scores have not improved. They have gotten worse. So I guess the question that Americans need to decide in the next few days is whether we want to see the Texas style rates of improvement of dramatic increases in academic performance or whether we want to see the Clinton-Gore kinds of trends, which is declining performance when compared to international peers in the case of math and science.

□ 2100

I love Colorado. It is a great State. But nobody from Colorado is running for President of the United States. Of the two models, the bad Washington, D.C. model versus the good Texas model, I will choose the Texas model every time. I prefer that for my kids. I know most of my friends and neighborhoods around my district would far prefer to see improving test scores for their children, not declining test course. All of this is critically important to maintaining strength and solvency of our Republic.

It is going to be an interesting evening tonight as that debate gets under way in just a minute. I am really hopeful that Americans will remember the difference in opportunity, the opportunity that the White House has had, that AL GORE has had as Vice President of the United States, which he has squandered, he has done nothing about some of the problems that he has known to exist through the Department of Education, versus dramatic improvements that real leadership in Texas have achieved for real children with real parents in real communities in a State that has enjoyed great leadership. Now, that kind of leadership is something that we can have for the whole country.

Mr. GOODLING. Mr. Speaker, the Governor Bush model, of course, is the model I have tried to follow for 26 years, and that is to put people before politics but put children before politics. That is what he has done in Texas. That is why we have seen the kind of improvement that we see in Texas. Those children most in need in Texas are receiving the benefits that all of these programs that were created in Washington wanted to see happen, but it did not happen. It has happened with his leadership and leading a Democrat House and a Democrat Senate.

Mr. SCHAFFER. Mr. Speaker, I am grateful for the opportunity to be recognized tonight.

Mr. PAUL. Mr. Speaker, I thank the gentleman from Michigan and the gentleman from Colorado for allowing me the opportunity to express my thoughts on the education reform debate that is sure to consume much of our time in the remaining days of the 106th Congress. For all the sound and fury generated by the argument over education, the truth is that the differences between the congressional leadership and the administration are not significant; both wish to strengthen the unconstitutional system of centralized education. I trust I need not go into the flaws with President Clinton's command-and-control approach to education. However, this Congress has failed to present a true, constitutional alternative to President Clinton's proposal to further nationalize education.

It is becoming increasingly clear that the experiment in centralized control of education has failed, and that the best means of improving education is to put parents back in charge. According to a recent Manhattan Institute study of the effects of state policies promoting parental control over education, a minimal increase in parental control boosts students' average SAT verbal score by 21 points and students' SAT math score by 22 points! The Manhattan Institute study also found that increasing parental control of education is the best way to improve student performance on the National Assessment of Education Progress (NAEP) tests. Clearly, the drafters of the Constitution knew what they were doing when they forbade the Federal Government from meddling in education.

American children deserve nothing less than the best educational opportunities, not warmed-over versions of the disastrous educational policies of the past. That is why I introduced H.R. 935, the Family Education Freedom Act. This bill would give parents an inflation-adjusted $3,000 per annum tax credit, per child for educational expenses. The credit applies to those in public, private, parochial, or home schooling.

This bill creates the largest tax credit for K–12 education in the history of our great Republic and it returns the fundamental principle of a truly free economy to America's education system: what the great economist Ludwig von Mises called ''consumer sovereignty.'' Consumer sovereignty simply means consumers decide who succeeds or fails in the market. Businesses that best satisfy consumer demand will be the most successful. Consumer sovereignty is the means by which the free market maximizes human happiness.

Currently, consumers are less than sovereign in the education ''market.'' Funding decisions are increasingly controlled by the federal government. Because ''he who pays the piper calls the tune,'' public, and even private schools, are paying greater attention to the dictates of federal ''educrats'' while ignoring the wishes of the parents to an ever-greater degree. As such, the lack of consumer sovereignty in education is destroying parental control of education and replacing it with state control. Restoring parental control is the key to improving education.

Of course, I applaud all efforts which move in the right direction such as the Education Savings Accounts legislation (H.R. 7). President Clinton's college tax credits are also good first steps in the right direction. However, Congress must act boldly—we can ill afford to waste another year without a revolutionary change in our policy. I believe my bill sparks this revolution and I am disappointed that the leadership of this Congress chose to ignore this fundamental reform and instead focused on reauthorizing great society programs and promoting the pseudo-federalism of block grants.

One area where this Congress has so far been successful in fighting for a constitutional education policy was in resisting President Clinton's drive for national testing. I do wish to express my support for the provisions banning the development of national testing contained in the Education Appropriations bill, and thank Mr. GOODLING for his leadership in this struggle.

Certain of my colleagues champion proposals to relieve schools of certain mandates so long as states and localities agree to be held ''accountable'' to the federal government for the quality of their schools. I have supported certain of these proposals because they do provide states and localities the option of escaping certain federal mandates.

However, there are a number of both practical and philosophical concerns regarding these proposals. The primary objection to this approach, from a constitutional viewpoint, is embedded in the very mantra of ''accountability'' stressed by the plans' proponents. Talk of accountability begs the question: accountable to whom? Under these type of plans, schools remain accountable to federal bureaucrats and those who develop the state tests upon which a schools' performance is judged. Should the schools not live up to their bureaucratically-determined ''performance goals,'' they will lose their limited freedom from federal mandates. So federal and state bureaucrats will determine if the schools are to be allowed to participate in these programs and bureaucrats will judge whether the states are living up to the standards set in the state's education plan—yet this is supposed to debureaucratize and decentralize education!

Even absent the ''accountability'' provisions spending billions of taxpayer dollars on block grants is a poor way of restoring control over education to local educators and parents. Some members claim that the expenditure levels for not matter, it is the way the money is spent which is important. Contrary to the view of the well-meaning but misguided members who promote block grants, the amount of taxpayer dollars spent on federal education does matter.

First of all, the federal government lacks constitutional authority to redistribute monies between states and taxpayers for the purpose of education, regardless of whether the monies are redistributed through federal programs

or through grants. There is no ''block grant exception'' to the principles of federalism embodied in the U.S. Constitution.

Furthermore, the federal government's power to treat state governments as their administrative subordinates stems from an abuse of Congress' taxing-and-spending power. Submitting to federal control is the only way state and local officials can recapture any part of the monies of the federal government has illegitimately taken from a state's citizens. Of course, this is also the only way state officials can tax citizens of other states to support their education programs. It is the rare official who can afford not to bow to federal dictates in exchange for federal funding!

As long as the federal government controls education dollars, states and local schools will obey Federal mandates; the core program is not that federal monies are given with the inevitable strings attached, the real problem is the existence of federal taxation and funding.

Since federal spending is the root of federal control, by increasing federal spending this Congress is laying the groundwork for future Congresses to fasten more and more mandates on the states. Because state and even local officials, not federal bureaucrats, will be carrying out these mandates, this system could complete the transformation of the state governments into mere agents of the federal government.

While it is true that lower levels of intervention are not as bad as micro-management at the federal level, Congress' constitutional and moral responsibility is not to make the federal education bureaucracy ''less bad.'' Rather, we must act now to put parents back in charge of education and thus make American education once again the envy of the world.

Hopefully the next Congress will be more reverent toward their duty to the U.S. Constitution and America's children. The price of Congress's failure to return to the Constitution in the area of education will be paid by the next generation of American children. In short, we cannot afford to continue on the policy read we have been going down. The cost of inaction to our future generations is simply too great.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2415, AMERICAN EMBASSY SECURITY ACT

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–971) on the resolution (H. Res. 624) waiving points of order against the conference report to accompany 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, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.RES. 596, AFFIRMATION OF THE UNITED STATES RECORD ON ARMENIAN GENOCIDE

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–972) on the resolution (H. Res. 625) providing for consideration of the resolution (H.Res. 596) calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes, which was referred to the House Calendar and ordered to be printed.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4392, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2001

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–973) on the resolution (H. Res. 626) waiving points of order against the conference report to accompany the bill (H.R. 4392) to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J.RES. 111, MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2001

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–974) on the resolution (H. Res. 627) providing for consideration of the joint resolution (H.J. Res. 111) making further continuing appropriations for the fiscal year 2001, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF A MOTION TO CONCUR IN THE SENATE AMENDMENT WITH AN AMENDMENT TO H.R. 4386, BREAST AND CERVICAL CANCER PREVENTION AND TREATMENT ACT OF 2000

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–975) on the resolution (H. Res. 628) providing for consideration of the Senate amendment to the bill (H.R. 4386) to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screen program, to amend the Public Health Service Act and the federal Food, Drug, and Cosmetic Act with respect to surveillance and information concerning the relationship between cervical cancer and the human papillomavirus (HPV), and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PASTOR (at the request of Mr. GEPHARDT) for today after 4:00 p.m. on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DAVIS of Illinois) to revise and extend their remarks and include extraneous material:)

Mrs. CAPPS, for 5 minutes, today.

Mrs. MINK of Hawaii, for 5 minutes, today.

Mr. FALEOMAVAEGA, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

Mr. NADLER, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. STABENOW, for 5 minutes, today.

Mr. MCGOVERN, for 5 minutes, today.

Mrs. MALONEY of New York, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mr. GUTKNECHT) to revise and extend their remarks and include extraneous material:)

Mr. METCALF, for 5 minutes, today and October 12 and 13.

Mr. NETHERCUTT, for 5 minutes, today.

Mr. BILIRAKIS, for 5 minutes, today and October 12.

Mr. TANCREDO, for 5 minutes, today.

Mr. HORN, for 5 minutes, today and October 12 and 13.

Mr. WAMP, for 5 minutes, today.

Mr. PAUL, for 5 minutes, today.

Mr. PORTER, for 5 minutes, today and October 12.

Mr. PETERSON of Pennsylvania, for 5 minutes, today and October 12.

Mr. GUTKNECHT, for 5 minutes, today.

Mr. BILBRAY, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2417. An act to amend the Federal Water Pollution Control Act to increase funding for State nonpoint source pollution control programs, and for other purposes; to the Committee on Transportation and Infrastructure.

S. 2528. An act to provide funds for the purchase of automatic external defibrillators and the training of individuals in advanced cardiac life support; to the Committee on Commerce.