It is apparent that the subgroup of special needs students is not accounted for in the way No Child Left Behind enforces standards on a state-wide basis. In fact, the unique needs of special needs students is often the only reason many of North Carolina's excellent schools do not reach AYP, or average yearly progress.

Based on what North Carolina's educators are saying, the A-PLUS Act is a step in the right direction that responds to the needs of our teachers and students.

The A-PLUS Act preserves States rights while keeping essential funding for our schools intact.

Instead of cumbersome Federal mandates that take a cookie-cutter approach to education, the A-PLUS Act would give States the constitutional freedom to set their own education policies, based on the needs of their students, without burdensome Federal Government intrusion.

This bill reduces the burden that Federal financial support poses on education programs so that teachers can focus on educating instead of paperwork and bureaucratic mandates. We have many wonderful teachers out there doing their best every day to do their job, and they are distracted from doing their job by this paperwork.

By giving States back their full constitutional right to set education policy, this bill will encourage innovative solutions to the unique education issues faced by every State.

The A-PLUS Act provides States and their local communities with maximum freedom and flexibility to determine how to improve academic achievement and implement education reforms.

State and local governments should be in control of education policies, and the Federal Government's limits the responsibility should lie in providing incentives and accountability. Thus, A-PLUS allows States and local school systems the freedom to set up local accountability plans.

In conclusion, local accountability places the emphasis where it should be, on students, parents and teachers, instead of on an often unresponsive Federal bureaucracy.

And I want to support the comments made by my colleague from New Jersey, who reminds us that the Constitution doesn't have the word ''education'' anywhere in it. It is not the role of the Federal Government to provide for the education of our children. It is the role of the States, the localities and parents, and I applaud him for bringing that to our attention. We need to have that brought to our attention every time the Federal Government starts getting involved in an inappropriate way.

APPEAL FOR ENACTMENT OF THE EMPLOYEE FREE CHOICE ACT

The SPEAKER pro tempore (Mrs. TAUSCHER). Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

Mr. ALLEN. Madam Speaker, I rise to express my continued support for the Employee Free Choice Act, a bill which the House passed 2 weeks ago which I hope the Senate will soon consider.

I was proud to support House passage of the Employee Free Choice Act because I believe that the current law places undue burdens on workers who are trying to exercise their rights to organize.

Under the current law, workers are often subject to intimidation, and employers receive a slap on the hand for illegal activities. One study recently conducted by the University of Illinois found that 30 percent of employers fire pro-union workers, 49 percent threaten to close a work site, and 51 percent coerce employees with bribes or favoritism.

Because of these acts, many workers are afraid to vote for a union against the wishes of their employer, even in private.

If those statistics are not compelling enough, I urge my colleagues to consider the fact that the United States is the only industrialized Nation to have a union avoidance industry of any size. This industry, on which corporations spend hundreds of millions of dollars a year, exists solely to help businesses resist unionization efforts and undermine union strength.

The Employee Free Choice Act would close the legal and illegal avenues to intimidation that some employers use, thereby strengthening employees' ability to choose.

It would discourage the firing of employees by increasing fines and penalties during the election process. It would guarantee that first contract negotiations don't drag out for years by requiring mediation and arbitration to end delays.

The Employee Free Choice Act would allow the use of card check procedures, in which a majority of workers, not just a majority of voters, sign cards authorizing a union.

Why is it so important to ensure access to unions? Inequality is rising in our country. Two years ago, Alan Greenspan said: ''A free market society is ill served by an economy in which the rewards are distributed in a way which too many of our population do not feel is appropriate.''

Whether or not you agree that increasing inequality in our country is tied to declining union membership, one thing is clear: unionized workers have better rates of health care coverage, better wages, and are five times more likely to have a pension.

Access to health care, better wages, secure pension: these are the things the House is trying to give back to the middle class in America. Making our economy work for everyone is a complicated, ongoing process. The Employee Free Choice Act is one important step we can take toward accomplishing that goal.

In many American workplaces, the process of forming a union is contentious. Yet, though they may differ over issues like wages, health care and pensions, employees, supervisors, and company owners are all striving for the same goal, to make their company work and for competitiveness in a global economy.

Finding a middle ground on questions of compensation, training and health care boosts American productivity, innovation, and competitiveness. When employers control the outcome, we not only cheat workers; we cheat our economic future.

As we approach 2020, our income distribution is trending toward that of 1920. Americans don't want to be left to the market-based whims of health savings accounts, privatized Social Security, or personal job retraining accounts. They want a government that ensures that individuals can provide for themselves and their families.

Senator Wagner wrote the National Labor Relations Act in 1934 to ensure that workers would have an unambiguous, unmitigated right to representation in the workplace. He said then that ''the denial or observance of this right means the difference between despotism and democracy.''

It is unfortunate that the Employee Free Choice Act faces obstacles in the Senate, but it is time to give Americans a fair shot at organizing again. Everyone deserves protection under the law.

I urge my colleagues in the Senate to support the Employee Free Choice Act.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DREIER) is recognized for 5 minutes.

(Mr. DREIER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

(Mr. PAUL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)