

SKEEN, and the House leadership on both sides of the aisle for considering this measure today to overturn the President's veto. This action today will send a strong message to the Senate and White House that the American people expect careful use of the line-item veto. It will also demonstrate to opponents of the line-item veto that the new law works and is consistent with our Constitution.

Mr. RADANOVICH. Mr. Chairman, I rise today in support of H.R. 2846 which bars Federal spending for planning, developing, implementing or administering national education testing unless such tests are specifically authorized by Congress.

Passage of this bill is good for our schools. The President's strong support of national testing reveals serious philosophical differences between many in Congress and the Administration with regard to the role that teachers, parents, school board members and local communities play in ensuring that our children have the best possible opportunities for education available to them.

A national test would tell us little more than we already know—that the measure of a child's education is determined both by the quality of the education that the child has access to and the willingness and ability of that child to learn. I oppose such a test because I believe that we need to invest in our schoolchildren and in their education, not just their test scores.

Make no mistake, I think schools should provide minimum requirements and standards of learning. However, we should not expand the role of the Federal Government in education to achieve this goal. Our teachers, parents, school districts and local communities, particularly those in California's Central Valley, are more capable of cultivating a better education for our children, and in measuring that education, than federal bureaucrats in Washington, D.C. Federal money is better spent on improving the conditions and quality of our schools than on a full-employment program for administrators of a national education test.

National testing is the first step towards further federal intervention and control of the education of our children. In order to administer a national test, it first must be written. This job, no doubt, will be performed by federal bureaucrats in the Department of Education. Soon, these same individuals will be setting the reading and math standards for our nation's schoolchildren. Next, the Department of Education will want to set the curriculum of school districts and classrooms to meet those standards as evaluated through the federal test.

Mr. Speaker, we spend over \$29.5 billion on the federal Department of Education. According to a recent study, only 85 cents of each dollar that the department allocates for elementary and secondary education actually makes it to the local school district. One study of a New York public school system showed that only 43 cents of every district dollar actually made it into the classroom.

If we want to maximize our return on federal education dollars, we need to skip over the bureaucracy, reject national testing and provide as much funding as possible directly to communities and schools.

Besides shifting education funds to local communities, it is important that we ensure our children are given the educational choices and opportunities they deserve. This means

giving states, school districts, local communities, teachers, and parents flexibility to implement policies and use resources that best respond to the education needs of that particular community—and not forcing them to adopt a national one-size-fits-all test.

My goals for educating our children are not tied to national testing. Instead, we must maintain our strong commitment to education funding that shifts more dollars and greater control to our states, communities, parents and teachers.

I urge my colleagues to vote in favor of H.R. 2846.

Mr. PAUL. Mr. Chairman, I rise in support of HR 2846, which forbids the use of federal funds to develop or implement a National Test without explicit authorization from Congress. Supporters of protecting the United States Constitution from overreaching by the Executive Branch should support this bill as the Administration's plan to develop and implement a national education test without Congressional authorization is a blatant violation of the constitutional doctrine of separation of powers.

However, support for this bill should in no way be interpreted to imply that Congress has the power to authorize national testing. After all, Congress, like the Executive and the Judicial branches of government, must adhere to the limitations on its power imposed by the United States Constitution. Although many seem to have forgotten this, in our system, the limits set by the Constitution, rather than the will of any particular Congress, determine the legitimate authority of the United States Government.

The United States Constitution prohibits the executive branch from developing and implementing a national test, or any program dealing with education. Education is not one of the powers delegated to the Federal Government, and, as the ninth and tenth amendment make clear, the Federal Government can only act in those areas where there is an explicit delegation of power. Therefore, the Federal Government has no legitimate authority to legislate in the area of education. Rather, all matters concerning education, including testing, remain with those best able to educate children—individual states, local communities, and, primarily, parents.

Implementation of a national test also must be opposed because of its primary effect: the de facto creation of a national curriculum. Many supporters of a national testing try to minimize this threat to local and parental sovereignty by claiming the program would be voluntary. However, these are many of the same people who consider Goals 2000 a "voluntary" program, despite the numerous times Goals 2000 uses the terms "shall" and "must" in describing state functions. Furthermore, whether or not schools are directly ordered to administer the tests, schools will face pressure to do so as colleagues and employers inevitably begin to use national tests as the standard by which students are measured for college entrance exams and entry-level jobs. At the very least, schools would soon find federal, and perhaps even state, funding conditioned upon their "voluntary" participation in the national testing program.

Educators will react to this pressure to ensure students scored highly on the national test by "teaching to the test"—that is, structuring the curriculum so students learn those subjects, and only those subjects covered by

the national tests. As University of Kansas Professor John Poggio remarked in February of last year, "What gets tested is what will be taught." Government bureaucrats would then control the curriculum of every school in the nation, and they would be able to alter curriculums at will by altering the national test!

Private schools and home schools will be affected as well, as performance on the national tests becomes the standard by which student performance is judged. Those in private and home schools will face increasing pressure to participate in national testing and shape what is taught to fit the criteria of the tests.

National testing is a backdoor means by which the federal government can control the curriculum of every school in the nation. Implementation of national testing would be a fatal blow to constitutional government and parental control of education.

The Executive Branch has no constitutional authority to implement and develop a national test and the Congress has no authority to authorize the test. I therefore urge my colleagues to vote for H.R. 2846, which stops the Administration from ultimately implementing national tests and oppose all legislation authorizing the creation of a national test. Instead, this Congress should work to restore control over their children's education to the American people by shutting down the federal education bureaucracy and cutting taxes on America's parents so they may provide for the education of their own children.

Mr. WELDON. Mr. Speaker, last year this Congress voted 295–125 against allowing the federal government to establish national tests for education. However, President Clinton and the Federal Department of Education continue to pursue their effort to establish national testing. I am very disturbed, but quite frankly not surprised by the President's efforts to bypass the Congress and establish national testing. He has done this in other areas as well.

The Constitution gives the Congress, not the President, discretion over federal spending. The Congress has not authorized the Administration to expend taxpayer funds on developing or implementing a national education test and it is wrong for the Administration to pursue such efforts.

The American people don't want federal control of education and that is exactly what national testing moves us towards. H.R. 2847 would ensure that the House Committee on Education and the Workforce (the Congress) will have increased involvement and discretion over this program. I am a proud cosponsor of this legislation and am hopeful that we can move it forward.

Unlike liberals in Washington, I believe that states and local communities are better equipped to design and implement school assessment programs because they are closer to the needs and abilities of their students, teachers, and schools. Furthermore, national testing could lead to a watered-down, ineffective test which holds everyone to lower standards. It also would divert scarce federal education dollars away from the classrooms and would reallocate them toward bureaucracy and test administrators.

I am very concerned about the potential that a national test could effectively lead to the adoption of a national curriculum. In this scenario, individual school districts would be compelled to conform their classroom curriculum