

that a well-qualified teacher is one of the most important ingredients in that child's education in the school setting.

Obviously, we believe the most important ingredient is the family. If there is one thing this bill cannot do, that would greatly help us all, is if we could just get every parent to spend time with their child, or grandchild, reading to those children and telling them that it is important. This education would complement that, and we would be well on the way to the goal the President has had, that so many Members of this Congress have had, and that is to make sure that each and every child has that opportunity.

Mr. Chairman, I look forward to the amendment process.

Mr. BOEHNER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me first thank all of the Members for all their kind comments and their support of the bill that we have before us. I think that, as the gentleman from California (Mr. GEORGE MILLER) just pointed out, we have a very sound piece of legislation that will improve the educational prospects for millions of American children. All we need to do is to have the courage to stand up and to vote for it.

There are Members with different views and different visions of what the Federal Government's role in education should be. I have conservative friends who are a little hesitant about this. We have some liberal friends who are just as hesitant. And as the gentleman from California pointed out, this is the most major change in the Federal Government's role in education in the 35 years that the Federal Government has been involved. This is a big step. This will take courage on the part of Members and take courage on the part of this institution to forge our way down a new path. But I think today is the day to do it, and I think this is the bill that will put us on the right path.

This bill did not get here by itself, though. All the Members worked hard but there are a select group of people who deserve to get our thanks: Sally Lovejoy, who heads up the education group on our staff; members of her staff, Kent Talbert, Christy Wolfe, Rich Stombres, Ben Peltier, Cindy Herrle, Pam Davidson, George Conant, JoMarie St. Martin, Bob Sweet, Doug Mesecar, Dave Schnittger and his team, and Paula Nowakowski, staff director.

Let me also thank the Democrat staff who worked very closely with us: Charlie Barone, Alex Nock, Denise Forte, John Lawrence, Brendan O'Neil with the office of the gentlewoman from Hawaii (Mrs. MINK); Maggie McDow with the office of the gentleman from Indiana (Mr. ROEMER); Kara Haas, a staffer in the office of the gentleman from Delaware (Mr. CASTLE); Karen Weiss with the office of the gentleman from California (Mr. MCKEON); and Glee Smith of the office of the gentleman from Georgia (Mr. ISAKSON).

They spent as many hours or more than the Members in terms of helping to craft this bill, to put it together, and to put us on the track where we are today, and I want to thank them for their work.

Mr. DAVIS of Illinois. Mr. Chairman, I rise to express my concern about the legislative language of H.R. 1—The No Child Left Behind Act of 2001, that contains a "grandfather" clause permitting school districts that currently segregate homeless children to continue to do so. The McKinney Act has prohibited this form of segregation. Since 1990, the McKinney Act has required States and school districts to integrate homeless students into the mainstream school environment, and to remove barriers to their enrollment, attendance, and success in school.

As a practical matter, segregation of homeless children who are disproportionately Black and Latino means racial re-segregation. In Chicago, for example, 92% of homeless families that use shelter facilities are African American. To the poor students throughout this nation, this is a crucial issue. Separate is not now, and has never been "equal." National educational policy must not now in the 21st Century embrace this insidious notion: that children should be sent to schools based on their housing or economic status. There is no sound teaching rationale for educating homeless children separately. Homeless children are like all other children and represent an array of educational strengths and needs. Some emerge as valedictorians or above-average achievers, others as special education students, and some simply average achievers.

Putting children in schools with a label of "homelessness" is stigmatizing and demeaning. In many years of work in my district, I have never met a single family that asked for a segregated school. In fact, the parents along with the Chicago Coalition for the Homeless in Chicago fought and closed a segregated facility.

I have a letter from a homeless child name Junior Brewer who is ten years of age, he wrote "I think no matter what, if you are homeless or rich this does not mean that you have to be separated from your friends because we are all created equal inside." What do I tell Junior about the hypocrisy and lies that is being portrayed in H.R. 1. After all Junior, if you are poor and Black or Latino or some other ethnic group being created equal in the inside among men, women, and children is just a dream. Our Republicans say we will leave no child behind but their actions say otherwise. We must show through deeds not words that no child is left behind.

Mr. PAUL. Mr. Chairman, thirty-six years ago Congress blatantly disregarded all constitutional limitations on its power over K-12 education by passing the Elementary and Secondary Education Act (ESEA). This act of massive federal involvement in education was sold to the American people with promises that federal bureaucrats had it within their power to usher in a golden age of education. Yet, instead of the promised nirvana, federal control over education contributed to a decline in education quality. Congress has periodically responded to the American people's concerns over education by embracing education "reforms," which it promises are the silver bullet to fixing American schools. "Trust us," proponents of new federal education programs

say, we have learned from the mistakes of the past and all we need are a few billion more dollars and some new federal programs and we will produce the educational utopia in which "all children are above average." Of course, those reforms only result in increasing the education bureaucracy, reducing parental control, increasing federal expenditures, continuing decline in education and an inevitable round of new "reforms."

Congress is now considering whether to continue this cycle by passing the national five-year plan contained in H.R. 1, the so-called "No Child Left Behind Act." A better title for this bill is "No Bureaucrat Left Behind" because, even though it's proponents claim H.R. 1 restores power over education to states and local communities, this bill represents a massive increase in federal control over education. H.R. 1 contains the word "ensure" 150 times, "require" 477 times, "shall" 1,537 and "shall not" 123 times. These words are usually used to signify federal orders to states and localities. Only in a town where a decrease in the rate of spending increases is considered a cut could a bill laden with federal mandates be considered an increase in local control!

H.R. 1 increases federal control over education through increases in education spending. Because "he who pays the piper calls the tune," it is inevitable that increased federal expenditures on education will increase federal control. However, Mr. Chairman, as much as I object to the new federal expenditures in H.R. 1, my biggest concern is with the new mandate that states test children and compare the test with a national normed test such as the National Assessment of Education Progress (NAEP). While proponents of this approach claim that the bill respects state autonomy as states' can draw up their own tests, these claims fail under close observation. First of all, the very act of imposing a testing mandate on states is a violation of states' and local communities' authority, protected by the 10th Amendment to the United States Constitution, to control education free from federal interference.

Some will claim that this does not violate states' control because states are free to not accept federal funds. However, every member here knows that it is the rare state administrator who will decline federal funds to avoid compliance with federal mandates. It is time Congress stopped trying to circumvent the constitutional limitations on its authority by using the people's own money to bribe them into complying with unconstitutional federal dictates.

Mr. Chairman, H.R. 1 will lead to de facto, if not de jure, national testing. States will inevitably fashion their test to match the "nationally-normed" test so as to relieve their students and teachers of having to prepare for two different tests. Furthermore, states will feel pressure from employers, colleges, and perhaps even future Congresses to conform their standards with other national tests "for the children's sake." After all, what state superintendent wants his state's top students denied admission to the top colleges, or the best jobs, or even student loans, because their state's test is considered inferior to the "assessments" used by the other 49 states?

National testing will inevitably lead to a national curriculum as teachers will teach what their students need to know in order to pass their mandated "assessment." After all, federal

funding depends on how students perform on these tests! Proponents of this approach dismiss these concerns by saying “there is only one way to read and do math.” Well then what are the battles about phonics versus whole language or new math versus old math about? There are continuing disputes about teaching all subjects as well as how to measure mastery of a subject matter. Once federal mandatory testing is in place however, those arguments will be settled by the beliefs of whatever regime currently holds sway in DC. Mr. Chairman, I would like my colleagues to consider how comfortable they would feel supporting this bill if they knew that in five years proponents of fuzzy math and whole language could be writing the NAEP?

Proponents of H.R. 1 justify the mandatory testing by claiming it holds schools “accountable.” Of course, everyone is in favor of holding schools accountable but accountable to whom? Under this bill, schools remain accountable to federal bureaucrats and those who develop the state tests upon which participating schools performance is judged. Even under the much touted Straight “A”s proposal, schools which fail to live up to their bureaucratically-determined “performance goals” will lose the flexibility granted to them under this act. Federal and state bureaucrats will determine if the schools are to be allowed to participate in the Straight “A”s programs and bureaucrats will judge whether the states are living up to the standards set in the state’s education plan—yet this is the only part of the bill which even attempts to debureaucratize and decentralize education!

Under the United States Constitution, the federal government has no authority to hold states “accountable” for their education performance. In the free society envisioned by the founders, schools are held accountable to parents, not federal bureaucrats. However, the current system of imposing oppressive taxes on America’s families and using those taxes to fund federal education programs denies parental control of education by denying them control over their education dollars.

As a constitutional means to provide parents with the means to hold schools accountable, I have introduced the Family Education Freedom Act (H.R. 368). The Family Education Freedom Act restores parental control over the classroom by providing American parents a tax credit of up to \$3,000 for the expenses incurred in sending their child to private, public, parochial, other religious school, or for home schooling their children.

The Family Education Freedom Act 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 society maximizes human happiness.

When parents control the education dollar, schools must be responsive to parental demands that their children receive first-class educations, otherwise, parents will find alternative means to educate their children. Furthermore, parents whose children are in public schools may use their credit to improve their schools by purchasing of educational tools such as computers or extracurricular activities

such as music programs. Parents of public school students may also wish to use the credit to pay for special services for their children.

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 the average SAT verbal score by 21 points and the student’s 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 NAEP tests.

I have also introduced the Education Quality Tax Cut Act (H.R. 369), which provides a \$3,000 tax deduction for contributions to K–12 education scholarships as well as for cash or in-kind donations to private or public schools. The Education Quality Tax Cut Act will allow concerned citizens to become actively involved in improving their local public schools as well as help underprivileged children receive the type of education necessary to help them reach their full potential. I ask my colleagues: “Who is better suited to lead the education reform effort: parents and other community leaders or DC-based bureaucrats and politicians?”

If, after the experience of the past thirty years, you believe that federal bureaucrats are better able to meet children’s unique educational needs than parents and communities then vote for H.R. 1. However, if you believe that the failures of the past shows expanding federal control over the classroom is a recipe for leaving every child behind then do not settle for some limited state flexibility in the context of a massive expansion of federal power: Reject H.R. 1 and instead help put education resources back into the hands of parents by supporting my Family Education Freedom Act and Education Improvement Tax Cut Act.

Mr. CLEMENT. Mr. Chairman, I rise today in support of this bill as it was reported out of committee. I believe that the underlying bill is a good piece of legislation that will go a long ways in making our schools better places of learning and our students more successful. I commend the chairman, Mr. BOEHNER, the ranking member, Mr. GEORGE MILLER of California, and my fellow New Democrat, Mr. ROEMER, for the bipartisan way in which this bill has been crafted.

I am pleased to see H.R. 1 include language supporting both music and arts education as well as character education. I am a strong supporter of both. We must ensure that our children receive a well rounded education which includes music and the arts. Society is growing increasingly concerned about the steady decline of our nation’s core ethical values, especially in our children. Although parents should be the primary developers of character, the role of schools in character-building has become increasingly important.

I am pleased to see the increased emphasis H.R. 1 has placed on low-performing Title I schools. If we are to demand that our schools meet high standards of achievement, we must also ensure that schools serving low-income students receive sufficient funds to meet these students’ needs. These much needed Title I funds will make a real difference in the academic lives of many of my young constituents.

I also support several other provisions of the bill including accountability measures, student mentoring and the retention of the Safe

Schools and 21st Century Learning Centers programs as separate initiatives.

I am extremely pleased to see that neither vouchers nor the “Straight A’s” provision are included in the reported bill and am hopeful that they will not be attached as amendments. We have a remarkable consensus on this bill, but it is a fragile one. I urge my colleagues to protect this delicate balance by rejecting voucher or “Straight A’s” proposals that would jeopardize passage of the bill.

While H.R. 1 substantially increases local flexibility, a “Straight A’s” proposal only increases control at the state level. It will result in less funding to many local school districts, particularly those with low-income children.

Every child deserves the opportunity to succeed in our public school system. This bill takes a positive step forward toward helping students achieve academically and strengthening public schools.

Mrs. LOWEY. Mr. Chairman, this bill makes some pretty big promises. It has the potential to dramatically change the public education system in this country. It authorizes significant levels of funding. It says to parents that Congress thinks education is a priority, and that we will make good on our goal—that every child in America should get a quality education.

But, Mr. Chairman, I sit on the Appropriations Subcommittee that funds education, and my experience tells me that we are a long way from being able to keep these promises. The budget we passed two weeks ago does not provide the funds to do everything we promise in this bill. At the end of the year, when push comes to shove, we will do what we’ve done for the past few years—we will short education.

Tonight and tomorrow we will talk about how we are going to provide more funding than ever for our most disadvantaged students through Title I, about how we will give states flexibility to determine their fiscal needs in the areas of teacher recruitment, teacher development and school renovation, and about how we will demand results for our efforts. These are all worthy goals, and I support them.

But without funding, this new flexibility becomes a gilded prison. States will have to decide whether to spend their money on facilities, teachers or testing. The bill does not provide any additional funds for school construction, and does not provide enough to help states develop the new mandated tests or recruit more teachers to reduce class sizes. In fact, the rule will not even allow these issues to be discussed on the floor.

Unless we work to ensure that sufficient money is included for education in the appropriations process, then all we are doing today is making empty promises.

When the annual appropriations melee begins toward the end of the year, I hope the American people will remind every member who votes for this bill that they have a promise to keep. Every member who holds a press conference to tout their commitment to education after their vote for this bill should be prepared to follow through.

Mr. Chairman, we have an opportunity to do great things for education. But this legislation is only a down payment. I hope we remember to pay the rest of the bill.

Ms. SOLIS. Mr. Speaker, as a freshman Member of Congress it has been exciting to be a part of the House Education and Workforce Committee, working to draft a bipartisan