

after the date of enactment of this Act, the chairperson of the Commission shall publish in the Federal Register final recommendations that reflect input from each interested party, including providers and suppliers, insurance companies, and health benefits management concerns using a process similar to the process used for developing standards under section 1172(c) of the Social Security Act (42 U.S.C. 1320d-1(c)).

(B) CONSIDERATIONS.—In developing the final recommendations to be published under subparagraph (A), the Commission shall—

(i) make every effort to design system specifications that are flexible, scalable, and performance-based; and

(ii) ensure that strict security measures—

(I) guard system integrity;

(II) protect the privacy of patients and the confidentiality of personally identifiable health insurance data used or maintained under the system; and

(III) apply to any network service provider used in connection with the system.

(b) TIMETABLE.—The timetable set forth under this subsection is as follows:

(1) INITIAL IMPLEMENTATION.—Not later than 5 years after the date of enactment of this Act, the system shall support—

(A) 50 percent of queries regarding coverage determinations;

(B) 30 percent of determinations regarding incomplete or invalid claims; and

(C) immediate processing at the point of care of 40 percent of clean claims submitted by providers and suppliers under part B of the medicare program.

(2) INTERMEDIATE IMPLEMENTATION.—Not later than 7 years after the date of enactment of this Act, the system shall support—

(A) 70 percent of queries regarding coverage determinations;

(B) 50 percent of determinations regarding incomplete or invalid claims; and

(C) immediate processing at the point of care of 60 percent of clean claims submitted by providers and suppliers under part B of the medicare program.

(3) FULL IMPLEMENTATION.—Not later than 10 years after the date of enactment of this Act, the system shall support—

(A) 90 percent of queries regarding coverage determinations;

(B) 60 percent of determinations regarding incomplete or invalid claims; and

(C) immediate processing at the point of care of 40 percent of the total number of claims submitted by providers and suppliers under part B of the medicare program.

SEC. 5. APPLICATION OF ADVANCED INFORMATIONAL INFRASTRUCTURE TO THE FEHBP.

(a) IN GENERAL.—The Office of Personnel Management (in this section referred to as the "Office") shall—

(1) adapt the immediate claim, administration, payment resolution, and data collection system established under section 3 (in this section referred to as the "system") for use under the Federal employees health benefits program under chapter 89 of title 5, United States Code; and

(2) require that carriers (as defined in section 8901(7) of such Code) participating in such program use the system to satisfy certain minimum requirements for claim submission, processing, and payment in accordance with the timetable set forth in subsection (b).

(b) TIMETABLE.—The timetable set forth in this subsection is as follows:

(1) INITIAL IMPLEMENTATION.—Not later than 5 years after the date of enactment of this Act, the Office shall require that carriers use the system to process not less than—

(A) 50 percent of queries regarding coverage determinations;

(B) 30 percent of determinations of incomplete or invalid claims; and

(C) immediate processing at the point of care of 10 percent of the total number of claims.

(2) INTERMEDIATE IMPLEMENTATION.—Not later than 7 years after the date of enactment of this Act, the Office shall require that carriers use the system to support not less than—

(A) 70 percent of queries regarding coverage determinations;

(B) 50 percent of determinations regarding incomplete or invalid claims; and

(C) immediate processing at the point of care of 20 percent of the total number of claims.

(3) FULL IMPLEMENTATION.—Not later than 10 years after the date of enactment of this Act, the Office shall require that carriers use the system to support not less than—

(A) 90 percent of queries regarding coverage determinations;

(B) 60 percent of determinations of incomplete or invalid claims; and

(C) immediate processing of 35 percent of the total number of claims.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are appropriated to the Health Care Infrastructure Commission established under section 3, out of any funds in the Treasury that are not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

(b) AVAILABILITY.—Any sums appropriated under subsection (a) shall remain available until the termination of the Health Care Infrastructure Commission under section 3(h).

The SPEAKER pro tempore (Mr. SUNUNU). The gentleman from Iowa (Mr. GANSKE) has 18 minutes remaining.

Mr. GANSKE. Mr. Speaker, I just point out that my colleague from California has been a stalwart in working on matters of health concern for his constituents and in particular has been very strong on supporting a Patient's Bill of Rights. I appreciate his work and effort in that very much.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all Members to refrain from references to individual Senators.

EDUCATION REAUTHORIZATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 60 minutes.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I start today by talking about the person whose name I carry and the reason I have such a long name on the board. That name is MILLENDER, JUANITA MILLENDER-MCDONALD. It is because of my father, Reverend Shelly Millender, who taught us that education is important, that we must have a quality education in order to challenge the world that would be before us. And so, Mr. Speaker, tonight I rise with several of my colleagues to discuss the reauthorization of the Elementary and Secondary Education Act known to us as ESEA.

This act is an act that is of immense importance to our children and the future of our Nation. The education of our Nation's children is an issue of paramount concern. As Members of the House of Representatives, it is imperative that we remain focused on our national priorities of raising standards and providing special assistance to children in need to ensure that all students are prepared to face the challenges of the 21st century. Globalization has brought us into a more competitive world where the challenges of technology will dominate the economic relations among world nations. If all of our children are not prepared to face these challenges, our great country will not continue to lead the world in the vital areas of economy and technology, and also in the critical areas of democracy and political participation.

We must, Mr. Speaker, guarantee quality school facilities, quality teachers, smaller classroom sizes and gender equity in technology so that all of our children, both boys and girls, are able to face these new challenges.

I stand with some of my Members who are on the floor today as we recognize America's teachers. As a former teacher, I know the importance of teachers and their leadership to the classroom, but more importantly their leadership for the future, for our future, America's future because they are guiding our children who will be the leaders of tomorrow. Some of them will be the Members of Congress. Therefore, we must instill in them not only the moral standards, character building, but also quality education, quality education that comes from good teachers. I stand today in that salute and recognize the importance of teachers in this whole process.

In the 106th Congress, the authorization of Federal aid to many education programs covered under the Elementary and Secondary Education Act known as ESEA is expiring. These bills have passed through the House in a piecemeal approach to reauthorizing major ESEA programs. It is expected that the final piece of the ESEA puzzle, H.R. 4141, will be coming to the floor soon. H.R. 4141, the Education Opportunity to Protect and Invest in Our Nation's Students Act, also known as the OPTIONS Act, amends ESEA programs regarding education technology which is part of title III, the safe and drug-free schools and communities that is couched within this title III. It also amends title IV, and the education block grant which is title V.

I am deeply concerned, however, Mr. Speaker, with title I of H.R. 4141, entitled the transferability. Transferability is essentially a backdoor block grant program which would allow Federal funds intended to target technology, teacher training, school safety and after-school care needs to be used for any purpose deemed educational regardless of its relevance to the core mission.

When we look at, Mr. Speaker, technology we think about the digital divide. The urban and rural areas both are in dire straits because of the lack of high technology to our students in both the urban and the rural areas. When we look at teacher training, Mr. Speaker, we look at those persons who will be guiding and directing our students through this 21st century, and indeed it is critical that we focus on professional development as an ongoing core of teacher training.

School safety. We do recognize that children must be in an environment that is conducive to learning and, therefore, school safety is vital for this training. After-school care cannot just be left up to the schools now. It should be the community, it should be churches and all others who are getting involved in after-school care programs. These are very vital, very critical areas in the holistic education of our students.

Title I of H.R. 4141 allows States and local educational agencies to transfer funds between ESEA programs after receiving funds for specific purposes. I would like to draw attention to that, because we can ill afford to have moneys that should go for one program specifically for that purpose to be transferred to another program. That is the whole notion of this transferability clause. Under title I, local education agencies can transfer up to 30 percent of one program's funds to another without any publicly documented rationale.

That is wrong, Mr. Speaker. If we are going to really train our teachers, educate our students, have a school that is conducive to learning and have targeted technology that is applied for all students, then we must not have this transferability clause that will snatch funding from any program one deems important to transfer these funds to another program. In other words, if the funding has gone to the State specifically for a purpose and a program, then we should not be allowed to transfer up to 30 percent or any percent on a program that was not initially funded by this body.

If a local education agency receives State approval, then 100 percent of those funds can be transferred between programs. In such cases, the State is not required to establish criteria for these decisions or document their approval. Again, it would not be up to the State, it would be up to the legislation that we apply here on the floor, and this is why I believe that H.R. 4141 does a great injustice to this country's young people, our students.

□ 1930

Block grants, whether by law or de facto, and despite their popularity, do more harm to education than good. In fact, by pouring Federal funds into general State operating funds, we are not able to guarantee that the needs of all children are served, particularly the schools and the students with the most need.

Again, I reiterate, those students are the students who are in the urban schools like my schools, in the Watts area, in the Compton area, and the Linwood area and the Wilmington area. Those are the schools where there are the students with most needs, and also in the rural communities where those students are falling behind in technology.

Transferability, as mandated in Title I of H.R. 4141 increases the odds that ESEA money will not reach urban, minority students for much-needed educational programs. A study done, Mr. Speaker, by the General Accounting Office in January of 1999, reported that Federal funds are 8 times more likely than State funds to target disadvantaged students. Why are we putting this in the hands of the State when this has been documented by GAO, that the funds will be targeted more for disadvantaged students in coming from the Federal as opposed to the State?

The report further concluded that Federal monies helped to close the gap in spending between the richest and poorest districts. Currently, local education agencies that receive Federal money are required to use the funds on specific populations and for specific purposes. No more, no less. The transferability clause of H.R. 4141 will allow local education agencies to use Federal funds in any way they like, resulting in the possible exclusion of funds for programs that serve disadvantaged students in low-income districts.

We know that is not right, Mr. Speaker. We know that we cannot look to any local education agency to apply the funds that should be documented in legislation from us. We just give them that autonomy to transfer 30 percent of those funds to any program they deem important.

Mr. Speaker, it is shocking to think that funds earmarked for the improvement of our education system's core mission can be used for virtually any purpose. Transferability makes this prospect a reality and it is likely to have a negative effect on teacher training, school safety, and education technology.

Under H.R. 4141, we run the risk of diminishing our present emphasis on teacher training that is critical to maintaining a high standard among our schools. Under H.R. 4141, schools can decide to use funds targeted for upgrading and improving teacher quality for other purposes. Funds that could be used for teacher recruitment and certification may also be transferred to other programs.

Mr. Speaker, I have with me tonight a gentleman who we all know was the superintendent of public instructions in the State of North Carolina. He has come tonight because we are both rather stunned by this H.R. 4141 and its adverse impact on the education of our students. Let me now present the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Speaker, I thank the gentlewoman from Cali-

fornia for yielding, and I thank her for putting together this Special Order tonight, and for her leadership on this issue in the House. It is an important issue.

Mr. Speaker, I rise this evening to speak about this critical issue of education for our Nation. When we talk about that, we talk about our children. I often wonder, having served at the State level in North Carolina for 8 years where I saw the funds coming, the Federal funds, and let me remind our colleagues and the people who might be listening this evening that when we talk about Federal funds, they only represent about 7 percent of the total money spent in this country on education. Is that insignificant? No. Is that the only amount we can have? Well, let me explain to folks that if we go back to the 1960s, it was about 15 percent.

So it is not a magic number, it is just a number that we live with today because the money has been cut over the years. Did that money make a difference? Absolutely, because it was categorical money. Folks tend to forget that in the 1960s, we decided math and science were important in this country after Sputnik. We put the resources in, and did it make a difference? Absolutely, it made a difference. It gave us a lead in science and technology that we are enjoying the benefits of today. Our public schools responded, and so did our universities.

Now, why people need to have movement of funds from one category to another in that is very easy. There is not enough money in them. If there is enough money in those categories, they would not need to steal from staff development for teachers and for teacher recruitment and those dollars that are badly needed. It is important that those dollars be there, because I think the Federal commitment, as the gentlewoman has pointed out, is so critical. It says that it is important to this Nation.

Here just today we have stood on this floor and talked about how important our teachers are, and now we have a chance to decide that we are going to turn words into actions.

Mr. Speaker, I said today, words are cheap, talk is cheap. We ought to walk the walk instead of talk the talk.

I happen to have a son who teaches the fourth grade. If we paid teachers the minimum wage, we would be raising the salary of teachers in this country, because they put in an awful lot of hours they are not compensated for.

I think a lot of folks think of teachers working from maybe 7:30 or 8 o'clock to whatever time is school is out in the afternoon. What they do not realize is those teachers grade papers in the evenings, they take children on field trips on the weekends, and here we are arguing about a few dollars. It is a lot of money in terms of what schools get, but if we look at it in terms of the whole Federal budget, it is not really a great deal of money. But a

few dollars at the classroom level where teachers are makes a big difference.

We have colleagues here who want to say well, it is just where the teacher is. No, we need people for staff development. We need people in the principal's office, we need people in the central office, because someone has to coordinate all of this. We need people at the Federal level. I know when I was State superintendent, I depended greatly on the Federal office of education for research and development monies, and yes, for those grant monies. So it does make a difference that we have those monies in those categories.

Mr. Speaker, it is amazing to me that we want to talk about taking it away, and that is really what we are talking about. Any way we cut it, we are going to take it away from some of the most needy children in this country, the very children that we want to raise the threshold for and make sure that in the 21st century, they have a chance to make it.

We talk about the digital divide, and I will talk about that more in just a moment. But the digital divide is nothing compared to the divide that we are going to have for the children who do not have the opportunity to learn to read, and reading is fundamental; that do not learn to do math early, because many of the children show up at the public schools in this country who have not had the opportunity before they get there for a variety of reasons, the biggest one being poverty.

If there is one thing that we can classify, it reaches across ethnic lines, no matter whom they are, a child who shows up from poverty is a child more likely to be behind in school and have a difficult time. If we do not give children a good education, we relegate them and the future generation to poverty.

That is what public education is about in this country. America is really the one place in the world that says, no matter where one comes from, we give them an opportunity to step up to this great smorgasbord we call public education, if one is willing to work for it. But if America is going to seize this opportunity of a new economy in the 21st century, Congress must provide national leadership in this vital effort. We cannot capitulate now. The one time we have a chance to make a difference, we ought not to just lay down and play dead.

I have often said, there is a big slip between the lip and the hip, and that really comes with a lot of talk and not a lot of resources to get the job done.

Across this country, the American people are crying out for a greater investment in education. I have been in probably many schools, maybe more than most people in this body, having been superintendent, and I go back regularly. I have never had a child, the truth is I have never had a teacher to ask me who paid for something in the school, whether it was local, State, or

Federal. They just know they do not have enough. There are surveys after surveys that tell us that teachers take money out of their pocket to make sure they have resources in the classroom for their children.

Now, I am here to tell my colleagues tonight that is not right. Here we are arguing about a few dollars that we are going to send to help make education better for the poorest of our students, because those are the ones the teachers take money out of their pockets for. They are the ones who are there that we are not paying as well as we ought to.

I told someone today, my colleague may have overheard it, when we go through the grocery line in the check-out and pay for our groceries, because the teachers are not paid like they should be, in my opinion, they do not have a check-out that says, if you are a teacher, come through this line, and if you are a millionaire, come through this line. We all go through the same line. We ought to recognize that. If we truly value what our teachers do, and I do, I think we have to do a better job, and I think folks are expecting us to do it.

The leadership in this House, the Republican leadership, has to join with us to make it happen. We have to stop arguing about those things like school vouchers. Every year they want to talk about school vouchers. That is not the answer to the problem. Because if that were the answer, we would have all been on board a long time ago. All that is is a way to take money off the top and deny those most-needed students their opportunity.

We can talk about all we want in saying, well, competition is what we need in schools. We have 53 million students in school in America this year, and 94 percent, roughly, in this country, and in some States it is higher than that, it is 95, 96 percent, they are in the public schools. So the key is for us to use what resources, to use the kind of influence and support we have to help all of our children do better.

I think our schools are doing a far better job today than they have ever done, for all of our children. There is no question about that. No one can tell me that is not true, after looking at the data and look at the data across years. But the challenge we have is what we have done last year or 5 years ago is not good enough. It will not suffice in the high-tech economy we find ourselves in, competing with the world. We cannot drain off resources from our public schools and leave our children behind, condemned to a bleak future of failure.

As we work in this Special Order tonight, I hope we can share with the American people that our commitment is to our public schools, it is to make sure that every single child has an opportunity.

Mr. Speaker, one of the things we have done in this country is make sure that children, try to make sure that

children show up ready to learn. We can tell a difference in a child who comes from a background who has not had those opportunities, if he just had one year of Head Start, good Head Start or preschool.

In North Carolina, as my colleagues well know, our governor has worked with the general assembly and they are now putting in a prekindergarten program. They call it Smart Start. We had some when I was superintendent that we used Federal monies for that, and it makes all the difference in the world. It is a public-private partnership, and in some cases, we are working with other groups. But for the children who have not had that enrichment, who show up at school who do not know their colors, who have not been read to when they were little folks, it makes all the difference in the world. It helps the teacher, when we have 26, 28, and in some cases, 30 children.

I often remind folks that Fay and I were fortunate. We have 3 children. I would have hated to have had 26 of them, trying to teach them. Some days it was tough with 3. People do not realize what it is in that classroom. Teachers are liable to stay in that classroom. If they want to go to the bathroom, they have to get relief. There are not many jobs like that today. I think we need to honor them and respect them.

Mr. Speaker, our job here in Washington ought to be talking about how we can make it better, not create situations that are barriers to those teachers, and the teachers are the ones who really understand the problems the children have. They do not want the money to be taken away from staff development. Education may be the only place I am aware of where we tell teachers that they have to continue to get recertified, and they to pay for it themselves. Most businesses that I know of pay for their employees to go to get continuing training.

We are starting to do a better job, but we are not there yet where we are paying for all of them. I think if we honor education and we care for our children and our teachers, we ought to be about doing those things. Our schools can do better, and they will with our help, but only if we are willing to help.

□ 1945

We need to foster a greater connection, I think, between students, teachers, parents, and the broader business communities, one of the points we were talking about earlier.

If a community gets involved, it is amazing what happens to students. One of the things you talked about earlier that are so important, we have to reduce class sizes. But if we talk about reducing class sizes on the one hand and take away staff development for the teachers and the training opportunities they have, all of a sudden we are working against ourselves because we are saying, well, this worked well but we are going to take that away and put it over here.

What we really need is to enrich and help that whole system. We need staff development for teachers and administrators. We need to make sure that when we are looking at roughly 2 million teachers we are going to need in the next few years, we ought to be looking for ways we can energize and put money out there. We did it in the sixties when we wanted to do math and science. We are going to have to do it again if we honor and believe in education.

I happen to believe very strongly that I would not be here in the United States Congress if it had not been for public education, and I would say to the bulk of the Members, neither would they. They should not forget from whence they came. I would not be here. If we had been in the process of vouchers and all these other things, I would not have gotten the kind of education I did. I went to the public school, and whatever the most affluent child in my community got, I had the opportunity to get. That is true of most of the people in this body.

We should never forget that. We should not deny that opportunity for any child in America, no matter where they come from ethnically nor where they come from economically, because who knows, who knows, one of those youngsters may find the cure for cancer or any other number of diseases. Eventually they may be in this body making some of the same decisions.

We have a tremendous challenge. We need a national commitment. We need that commitment to the notion that parents in America have the right to expect that their children will have the best teachers in the world, and we cannot have, attract, nor retain the best teachers if we do not support them. It is one thing to get them there. It is equally as important to keep them there with pay, respect, and support.

That means staff development. That means when they need help, we respond; that we honor what they do, rather than criticize what they do. That bothers me greatly when I hear Members in this body do that. I was pleased today that we passed a resolution, but I will repeat one more time, now that we have said the words, we need to walk the walk. We need to have an education bill that bespeaks of how important education is in America for every child. Whether he lives in the richest suburbs or the poorest inner city or the most isolated rural parts of America, he should have the opportunity for an education.

I think block grants and vouchers are not the way to go. We would ultimately waste the ability of children in this country. We must make sure that every neighborhood school in America works.

I thank the gentlewoman for putting together this special order.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I thank the gentleman. He is steeped in experience. As a former State Superintendent of Public In-

struction, he recognizes and understands the importance of quality education, and he understands the barriers that are there with our children. They already come with a set of barriers, being poor and having unskilled parents. Then to further those barriers by not giving them the quality education is just absolutely an atrocity, in my book.

I thank the gentleman from North Carolina for his leadership on this issue.

I have another Member who is a leader in education who is on this floor just about every night talking about the inadequate education, given the funding that we do not get, but is busy pushing the whole notion of school construction and quality teacher training so that we can have the quality education that is sorely needed for those 53 to 54 million students.

I yield to none other than the gentleman from New York (Mr. OWENS).

Mr. OWENS. Mr. Speaker, I thank the gentlewoman from California for yielding to me. I want to congratulate her and applaud her insight in focusing on a very serious facet of the education bill that is going to be coming to this floor soon.

I serve on the Committee on Education, and I have had to live with this for a long time. To have Members who are not on the committee understand what is going on and offer to give us some help in this crucial area is very uplifting. It is good to hear that we are going to be prepared to fight the fight on the floor which we fought in the committee and we lost.

The crux of the argument that is being made tonight is that we should not take the Federal monies that are appropriated primarily to help the poorest students in the poorest communities and water that down, spread it out to communities which may need money for education, but we should not give them additional funds for education at the expense of those who have the greatest need.

The original intent of the Elementary and Secondary Education Act was to provide additional help for the poorest school districts and for the poorest students in those school districts.

We have had a doctrine of flexibility and super flexibility, and various names have been assigned to it in the past 6 years by the Republican majority. But what they are attempting to do is Robin Hood in reverse. What the Republican majority wants to do is take the money from the poor and spread it out to the others who need it less.

The irony of it is that they have better choices. We can all rejoice that we can make choices now which are very different from that and at the same time address the needs of any area that has educational needs.

We have a surplus. We have a surplus. A lot of people do not want to talk about it here in Washington. It is the most important factor and develop-

ment in the last 10 or 20 years. Instead of talking in terms of a deficit, there is a Federal surplus. Why do we have to rob the poor, therefore, to spread the Federal funds out to cover needs in some other district?

I do think there are other needs. Nobody has spoken more often here on this floor than I have in favor of the Federal government taking a larger role in funding for education. The Federal Government's role now is around 7 percent of the total funding. Most funding for education comes from the State governments and from the local governments. The Federal government has a small role. The Elementary and the Secondary Education Act that we are talking about today is about \$8 billion of Federal funds, \$8 billion out of a huge budget for education, when we add the State and local government contributions.

Clearly, if we go back and read the law it is still there, the findings in the preamble to the Elementary and Secondary Education Act that clearly the Federal government did not meet all the needs of everybody in education. The reasoning was that we should help those districts which have the needs most, help the poorest students, to relieve some of the burden from the State and local governments doing what they should have been doing all along, giving the kind of help these districts needed.

The pattern is across America that those who need it most get the least. The pattern of State government is that they neglect those who need it most because they are the ones who have the least amount of power. It is a power situation. The pattern over the years has been State government always neglects the needs of the poor, whether it is health care or education or any other need.

The Federal government has stepped in in the interests of national security, in many cases. In World War II, they found when they had to draft large numbers of young men that they were basically unhealthy, suffered from poor nutrition, any number of problems that led to the generation of concerns at the national level about health care.

We later on got the beginning of health care programs in terms of Medicare, Medicaid, and various other funding for hospitals and well baby clinics because it was understood that we cannot leave that to the States because they do not deal with it, and there is a need, there is a national security interest, in having a healthy population.

There is now a national security interest in having a population that is well-educated. Nothing is clearer than the fact that brain power now drives the world in terms of the economy. If we move to the military sphere, any area of activity among governments or in governments requires a tremendous amount of brain power. Educated people are our best resource.

What we are proposing here and what the gentlewoman from California has

pinpointed is we are proposing a very dangerous and deadly move. We are moving in the wrong direction at a time when the budget surplus permits us to give more aid to education. If we want to help other areas beyond the poorest of the poor, then we could just add money to the budget and cover the additional areas.

No, at a time when we can do that, we are proposing to take the money away from the poorest of the poor and give it to the other areas. Why not, at a time like this, dedicate more of the Federal budget to education?

Let us stop for a moment. The American people should listen closely to what is happening. Between the time that Congress recessed and the time we came back last week, the estimates of the budget surplus went up by \$40 billion.

The estimate now is, the most conservative estimate is that this year's budget surplus, the amount of money we will take in in terms of taxes, revenue, versus the amount of money we have spent, the surplus, the leftover money, will be no less than \$200 billion, \$200 billion. The projection is that over the next 10 years we will have about the same or more, \$200 billion per year for 10 years. We are talking about a \$2 trillion surplus over a 10-year period.

Why are we in an atmosphere of that kind? Why are we, with opportunities of that kind, going to rob or take money from the poorest of the poor and give it, spread it out for the rest of the schools? That is mean-spirited, it is insensitive, and it is shortsighted.

We should rise to the moment. We have a golden opportunity, every legislator here, everybody in government has a golden opportunity to rise to this moment when we have abundant resources. We have had to make decisions for a long time based on the fact that we had a deficit. There was not enough funding. Now we have the funds. Where is our conscience? Where are our consciences? Where are our hearts? Where are our souls when it comes time to make decisions with resources that we have been blessed with?

Instead of the generosity and charity spirit prevailing, just the opposite is happening. We choose to take what we have allocated for education for the poorest of the poor and to give it to those who need it less, spread it out.

Sandra Feldman, who is the president of the American Federation of Teachers, has put it well in a recent article that she has in several papers.

The legislative term for what is happening she says some people call a block grant, but she calls it a blank check. "The result would probably be the disappearance—or at least the radical weakening—of programs designed to guarantee funding for critical national objectives like safe schools and lower class sizes."

I am quoting from Sandra Feldman's article, Mr. Speaker, and I will include the entire article for the RECORD.

The article referred to is as follows:

COMMENTARY ON PUBLIC EDUCATION AND OTHER CRITICAL ISSUES—A BLANK CHECK

(By Sandra Feldman)

People in Hartford, Connecticut, have good reason to be proud and pleased. For a number of years, students in this poor, urban school district ranked academically lowest in the state, but things are changing. A new superintendent, working with the AFT local, used Title I money (federal funding targeted specifically to educationally needy children) to put in place a proven program called Success for All. And this year, the district celebrated significant improvements in math and reading test scores.

This is just one story among many in which children are doing better because their schools receive federal funding. But if a measure that Congress is currently debating becomes law, there will be fewer of these success stories.

The so-called Straight A's bill would allow states to lump together federal funding now devoted to programs that are proven to help children learn—as well as programs that help keep schools safe and drug free and enhance learning technology—and give the money to the states to use in any way they choose.

The legislative term for this is "block grant." But it should really be called "blank check." The result would probably be the disappearance—or at least the radical weakening—of programs designed to guarantee funding for critical national objectives like safe schools and lower class sizes.

GURANTEED FUNDING

The biggest of these programs, Title I, reaches 11 million disadvantaged kids—though in fact many more could use the kind of help it offers. Title I money goes directly to the districts and schools where it's most needed, and it pays for, among other things, extra teachers and programs that help students master reading and writing and achieve higher standards. Over the years, as Title I has been improved and focused on proven programs, student achievement has improved, and in some cases, such as Hartford, Title I has been a big factor in turning around entire schools and even school districts.

It is possible that the states would carry on Title I and other programs that are working—but it's very risky. The reality about block grants is that they allow state governments to spend the money any way they want to. And of course, they have their own priorities, their own pressures and demands to answer to, which do not necessarily include needy children.

This is not to say the states aren't good at lots of things. Most have been working successfully to raise student achievement. But it has been the targeted program funds of the federal government that have spurred most of them on. States have never done a good job of making sure all children get their fair share of the education pie. Schools in poorer communities have always been underfunded. Poor children, who need more than other children, have always gotten much less.

SPECIOUS ARGUMENTS

Supporters of education block grants talk about giving states the right to run their own school systems without federal interference. They claim they are for "flexibility" and against the "status quo." This is disingenuous, to say the least. Virtually all of the Title I money already goes to the local level, so what kind of flexibility are they talking about? (Flexibility not to spend the money on what works?) As for moving away from the status quo, that already happened in a big way in Title I just four years ago. Strong accountability requirements for district and schools receiving Title I funds were

added, and those requirements have been the engine driving a lot of the academic progress we've been seeing in the states.

Of course, there is a big remaining problem with the status quo: There simply isn't enough federal education funding to meet needs. One percent of the entire federal budget is spent on K-12 education, in comparison, for example, with the 2.5 percent spent on transportation. No one denies that transportation is critical, but is building highways more than twice as important as educating our kids?

Americans want money spent according to need, not politics. So why would Congress even consider turning the funding for programs that serve needy kids into pork barrels for the states? Straight A's is bad news for children, and people who care about educational equity should call their members of Congress to tell them so.

To continue reading from her article, quoting, "The biggest of these programs, Title I, reaches 11 million disadvantaged kids—though in fact many more could use the same kind of help it offers. Title I money goes directly to the districts and schools where it is most needed, and it pays for, among other things, extra teachers and programs that help students master reading and writing and achieve higher standards. Over the years, as Title I has been improved and focused on proven programs, student achievement has improved, and in some cases, such as Hartford, Title I has been a big factor in turning around entire schools and even school districts."

"Supporters of education block grants talk about giving states the right to run their own school systems without Federal interference. They claim they are for 'flexibility' and against the 'status quo.'"

□ 2000

This is disingenuous, says Sandra Feldman. This is disingenuous to say the least, virtually all of the title I goes to the local level so what kind of flexibility are they talking about? They are talking about flexibility not to spend the money on what works.

As for moving away from the status quo, that already happened in a big way in title I just 4 years ago. Strong accountability requirements for districts and schools receiving title I funds were added, and those requirements have been the engine driving a lot of the academic progress we have been seeing in the States.

Mr. Speaker, I think that the examples that have already been made by the Welfare Reform Act, where large amounts of money that were targeted for the poorest of the poor, welfare people, has not been spent by the States, and instead of them using that money for daycare and for job training, where they have had choices, and sometimes even when they did not have choices, they have channeled the money into other kinds of general funds or road repair or whatever and not bother to use it for the human resource needs that they have had.

Given that example, why should anyone think that giving the States a

blank check on maximum flexibility on education funds will mean that they are going to spend them wisely on those funds? I would like to conclude by saying there is a simple formula that I would like to leave with everybody who cares about education in America. If we just take 10 percent of the surplus, 10 percent of the surplus each year, and devote it to education, we could resolve all of these problems with a minimal amount of distress anywhere.

We do not have to take it from the poor to give to the rich. We can add money to the budget; that 10 percent would pay for construction needs, infrastructure needs. It would pay for additional computers. It would pay for a lot of different things like more teachers for the classroom, 10 percent of the surplus is \$20 billion. It is only 10 percent, but because the surplus is so large, it is \$20 billion per year.

With \$20 billion per year, we can meet the capital needs in terms of infrastructure and equipment, and at the same time, we can also meet the needs in terms of improvements in education in other areas.

We have an answer, and the answer does not require us to be mean-spirited and take away from the poor to give to the rich. The answer is to add more money, 10 percent of the surplus should go for education, and we can solve this problem.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I thank the gentleman so much for his leadership and the expertise that he brings to the table on education.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I would like to thank the gentleman from New York (Mr. OWENS). He has absolutely been stalwart in bringing to this floor those education needs and some of the concerns that are critical in the communities that have been underserved. We thank again the gentleman from New York.

We have another education leader, I say, because he is on the Committee on Education and the Workforce, but he has also shown great leadership in this area.

Mr. Speaker, I bring to now the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I thank the gentlewoman from California (Ms. MILLENDER-MCDONALD) for yielding to me. I commend her for giving us an opportunity this evening to have a general discussion of the state of education policy in the United States Congress and the all-important work that we are trying to accomplish in reauthorizing the Elementary and Secondary Education Act, that is the Federal programs affecting preschool and K through 12 and even afterschool activities that have been reauthorized every 5 years, and this year it is up. I hope we get it right.

Earlier today we did pass a resolution in this House in regards to commemorating and honoring the teachers that serve our children throughout the

country. And I am very glad that we took a few minutes this afternoon in order to do that, because, obviously, the studies show that outside of the active, caring, loving, involvement of parents in their own children's lives and especially the education, the next important determinant of how well a child is going to succeed in the classroom is the quality of the teacher actually working with our children, and that is why I feel we cannot do enough in order to support the teachers, provide them with the resources that they need in order to accomplish the job and the tasks and the objectives that we are calling upon them ever more so today to do.

Unfortunately, I am afraid that the turn of the Elementary and Secondary Education Act has not been a happy one. I mean the Federal involvement in K through 12 education funding is roughly 6 percent to 7 percent. It is not a large chunk of the pool of money that is provided to our public school systems throughout the country, but I feel it is a very important piece of the pie, because it goes to targeted, high need, disadvantaged students who are otherwise slipping through the cracks, and through the history of ESEA, there was a consensus developed throughout the Nation and in this Congress that the Federal Government can be involved in a targeted fashion, filling in some of those cracks, providing resources to the poor and disadvantaged high need children in the country. Also, our involvement kind of sets the tone as well and develops themes and develops priority that is we as a Nation really should be working on; issues such as class size reduction, one that hopefully is starting to pick up more momentum State by State, school district by school district.

Even in my own home State of Wisconsin, we have had a very successful SAGE program that has been in place for quite a few years. Last year, the University of Wisconsin at Milwaukee just did a comprehensive study and analysis of the SAGE program, which is a pilot program throughout the State, and the results were really stunning, as far as student achievement and the benefits of class size reduction.

Mr. Speaker, as we speak to the administrators and the parents and the teachers, those involved in the public education system, there are certain things that they are calling upon from the Federal Government, for State governments, even the local school boards to step in and to assist them on, one of which is providing resources needed in order to reduce class sizes so that we do have a better student-teacher ratio in the classroom, which will help with individualized attention then to students, so that the teachers can focus on a high-need students and devote the attention that they need.

But it also adds to increased discipline and safety in our schools. It should be a shared goal throughout the Nation. It should not be a partisan

issue. But, unfortunately, it has not become a major part of the elementary and secondary education reauthorization bill, and I think that is a little unfortunate. But hopefully we will have a chance to correct that.

Another important piece of the ESEA reauthorization was something that was passed by the House of Representatives last year, it is still pending action in the Senate, but it was the Teacher Empowerment Act, and that is the resources that we provide back to local school districts in order to provide training and professional development to teachers so they can enhance their skills so that a new generation of teachers, who will hopefully be very well qualified and talented, will be entering the classroom.

Lord knows that we see the real challenge that lies before this Nation over the next 10 years. We are projecting about a 2.2 million teacher turnover within the next 10 years, and this presents not only a challenge but an opportunity. An opportunity to increase our involvement and effort in improving the quality of teachers, attracting young, bright, talented students into the teaching professions, asking them to meet certain certification requirements so that we are getting the best and the brightest into the classrooms dealing with our children.

Mr. Speaker, we could have a new generation of teachers stepping in who are very capable of meeting the needs of an ever-changing global marketplace and a new economy that our kids have to find themselves in. So we need to do what we can within the ESEA reauthorization to help with the teacher training and professional development programs.

There was a provision that I got included in the Teacher Empowerment Act which also provided resources for the professional development of our principals and superintendents and administrators of school districts, realizing that they play a very important role quarterbacking the school districts, setting the tone and providing the leadership of where a school district is going to go.

But I talk to a lot of teachers who feel a little bit discouraged that there are not enough resources being provided for school modernization needs, providing the infrastructure and the technology in the classrooms, making sure that our kids have access to the technology that they need, which can be an incredibly powerful new learning tool at their disposal, but making sure the classrooms are wired, that they are getting access to the software and the hardware and especially, again, that there is professional development funding so that our teachers feel competent and capable of integrating that technology right into the classroom curriculum.

In light of that, I, along with other members of the committee, offered an Ed-Tech amendment to a recent piece of the elementary and secondary education bill, one which would provide

targeted funding exactly for this technology need in the classroom and exactly for the professional development of teachers and also for the integration of the technology into the classroom instruction and curriculum.

Unfortunately, that amendment was rejected in committee. I think it is short-sighted, given the needs of the global marketplace today. In fact, just quickly, I had a very interesting lunch with Jim and Bridgette Jorgensen, who are the cofounders of the AllAdvantage.Com company. They started this company with two others, both of whom were H-1B visa students. They have created 700 jobs in this country alone, and they are expanding by leaps and bounds. But I was asking them about the issue of having to expand the H-1B visa program in the country and why it was necessary. And they said, in the short term it is necessary, because in the short term we are not getting enough of our own kids interested in math and science and engineering and computer science classes so that they can step in and meet the growth needs of a lot of these technology companies that are expanding incredibly fast, and helping to create a 3 percent unemployment level in this country.

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

Mr. KIND. I am glad to yield to the gentleman from New York.

Mr. OWENS. Mr. Speaker, my colleague on the Committee on Education and the Workforce made a very important point in passing. Since we are paying tribute to teachers today, I just want to make certain that that point does not get lost. That is that many teachers who are now employed as teachers, as well as many students who are considering teaching, they point to the abominable working conditions in the schools. And one of the abominable working conditions that they cite is the physical infrastructure, the fact that schools are in disrepair.

Schools have, in the case of New York, furnaces that still burn coal and, therefore, they pollute the air. Respiratory illnesses not only are there to be contracted by the children, but also by the teachers. Schools are overcrowded, and that creates an atmosphere which exacerbates the discipline problem. Schools are overcrowded, so they force the kids to eat lunch in three or four cycles, so they have to eat lunch very early.

Mr. Speaker, if we care about teachers, and I heard many protestations on the floor today as to how important teachers are and how much we care about them, if we care about teachers, then we ought to give them better working conditions and I think we should not overlook the fact that we have better working conditions in many plants and industrial offices than we have in our schools for teachers. I thank the gentleman.

Mr. KIND. Mr. Speaker, I thank the gentleman for his comments. It is a

very important point. Even schools in my district in western Wisconsin, especially in rural areas, are in need of repairs, and some are emergency repairs. But the gentleman from New York (Mr. RANGEL) has offered a bit of a solution to this nationwide problem in a tax credit for bond referendums issued for the sake of school modernization and school construction needs.

I think it is a very important role the Federal Government can provide by providing tax credits to local school districts, which will save local school districts with the additional expense of having to pay interest on those bonds that are being issued today. And so again, another piece in the puzzle where the Federal Government can partner with the State and local school districts in order to make it affordable for us to be able to provide quality education facilities for our schools.

The essence of passing a budget here in Washington is also about establishing priorities. And if we want to be productive and meaningful as far as our children's future is concerned, we should be building Taj Mahals to our kids in the form of school buildings that they are going to be proud to walk in and do the work and feel proud to learn in. It would be a sure sign to our kids that the adults in their lives think enough about them and their education that we are willing to invest the resources that are needed to get this done and to get this accomplished.

Mr. Speaker, I would hope that our colleagues here in this body would support the school modernization legislation that the gentleman from New York (Mr. RANGEL) has proposed.

Let me just conclude by ending where I started and that is commending the teachers for the hard work that they put in throughout the Nation, and also commending the Vice President who had the courage to finally, at the Federal level, to speak up and say if we are going to get the teacher component of education right, we have got to talk about compensation. We cannot be afraid about talking about adequately compensating our teachers so that we can recruit the best and the brightest in the teaching profession, so that we can retain good quality teachers and not lose them to the private sector. And he has, I think, a very reasonable realistic proposal in awarding teachers who are going on and developing their professional skills with professional development classes, receiving higher degrees of education, providing bonuses to students who go into this subject area and obtaining their higher level certifications that are now being implemented on a State-by-State basis.

□ 2015

This is something that, for too long, we have been afraid to talk about, yet we see the wholesale abandonment in the teaching profession by a lot of good teachers who would love nothing more than to stay in the classroom and work

with our kids, but who are being enticed in the private sector with more lucrative job offers.

Again, it becomes a question of priorities with our budgets and as a Nation of whether or not we are going to do right by the teachers and award them and provide them with an adequate compensation level so that they can make a decent living and take care of their own family while doing something that they love and want to do, and that is, teach in the classroom.

It has been said that good teachers have a form of immortality. That is because their influence and radiance keeps on shining. I have had a few very, very good teachers that touched my life as a kid growing up on the north side of La Crosse, whether it was Mrs. Heillesheim or Mrs. Stoker or Mrs. Mulroy or Mr. Trueman in the elementary school at Roosevelt in La Crosse, or whether it was Mr. Knutson or Mr. Kroner, Gary Corbiser, Mrs. Bee Small in the middle school at Logan. In high school, there were so many good teachers who I had the privilege to have teach me, whether it was Ernie Eggett, who taught me advanced algebra or calculus; or Joe Thienes who made physics and chemistry interesting for this student; Mr. Anderson, Mr. Markus, and Diane Gephardt who taught me how to write; Ron Johnson who sparked my love and interest in history that I carry with me even today.

I just want to conclude by thanking them, in particular, for the role that they had in bringing me up because it did not necessarily have to end up here in the Chamber of the people's House, the House of Representatives. But for their influence and their concern about the future and my life, as well as a couple of loving parents that I had growing up under, it could have been a lot different for this kid on the north side of La Crosse.

So tonight I just want to pay special tribute to those teachers who had a major impact and influence in, and influenced my life.

Ms. MILLENDER-MCDONALD. Mr. Speaker, one can see the leadership that the gentleman from Wisconsin (Mr. KIND) shows, and he shares with us in showing how great teachers and quality teachers can bring about a quality Member of Congress.

I suppose I started also in talking about the person who was instrumental in my life, my father, because my mother died when I was 3½, and I was brought up by my father. This is why I carry the full name of JUANITA MILLENDER-MCDONALD. But he was so absolutely so strong on quality education.

This is why, Mr. Speaker, H.R. 4141 is potentially detrimental to both the Safe and Drug Free School Act and the 21st century community learning centers. Further, the national program on hate crime prevention sponsored by the Safe and Drug Free School Act could lose much-needed funds if this particular provision, that transferability

clause, passes in this ESEA reauthorization.

We can no longer, Mr. Speaker, tolerate violence, especially gun violence that affect the lives of our students. We have seen that with Columbine and the others.

So I plan to offer an amendment which repeals the transferability clause in Title I of H.R. 4141 when it comes to the floor. I believe that it is extremely harmful for the local education agencies to be able to transfer funds between educational programs thereby weakening the original mandate of those funds.

Again, Title I is for our poorest of children, the poorest of schools. I have those schools in my district of Watts and Wilmington and other places.

I say to all of us in this House, let us not forget the disadvantaged student, the one who critically needs quality education.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3709, THE INTERNET NON-DISCRIMINATION ACT

Mr. LINDER (during the special order of Ms. MILLENDER-MCDONALD), from the Committee on Rules, submitted a privileged report (Rept. No. 106-611) on the resolution (H. Res. 496) providing for consideration of the bill (H.R. 3709) to make permanent the moratorium enacted by the Internet Tax Freedom Act as it applies to new, multiple and discriminatory taxes on the Internet, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 701, THE CONSERVATION AND REINVESTMENT ACT OF 1999

Mr. LINDER (during the special order of Ms. MILLENDER-MCDONALD), from the Committee on Rules, submitted a privileged report (Rept. No. 106-612) on the resolution (H. Res. 497) providing for consideration of the bill (H.R. 701) to provide Outer Continental Shelf Impact Assistance to State and local governments, to amend the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreational needs of the American people, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LAND OF MANY USES

The SPEAKER pro tempore (Mr. HAYES). Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes.

Mr. MCINNIS. Mr. Speaker, I have a very serious subject of which I want to address to my colleagues, a subject of which many of my colleagues in this room, while it is not in their district, they may not have the kind of knowledge that I hope to kind of infer into them this evening during our discussion.

What I want to visit about really is specific, as it first comes out to the State of Colorado and to the Third Congressional District. Did my colleagues know the Third Congressional District is one of the largest districts in the United States? That is the district that I represent in the United States Congress.

That District geographically is larger than the State of Florida. It is a very unique district. I will kind of point out the district here on the map to my left. It is this portion of Colorado. It consumes over 60 percent of the State of Colorado. In that area, just roughly speaking, with the exception of Pikes Peak and part of Estes Park, all the other mountains, for the most part, are contained within the Third Congressional District of Colorado.

Now, this district has some very unique features about it. First of all, the amount of Federal land ownership within the district, which exceeds 22 million acres. This district is also a district which supplies 80 percent of the water in the State of Colorado, even though 80 percent of the population lives outside the Third Congressional District.

This district is also unique. Well, in fact, the entire State of Colorado is unique in that Colorado is the only State in the whole union, the only State in the whole union where we have no free-flowing water that comes into our State for our use. In other words, all of our water flows out of the State.

Now, in this particular district, as my colleagues know, because of the amount of Federal land, we have a concept called multiple use. I want to give a brief history of multiple use. Although I have talked many times from this podium to my colleagues about multiple use, I am asking for their patience again this evening, because I want to give a little history of multiple use and why in the West we have much different circumstances or consequences of decisions in Washington, D.C. regarding land than they do in the East.

Let me put it this way, multiple use is critical for our style of life. There are many organizations that are up and down the eastern coast around in these areas that really do not understand what it is like to live surrounded by Federal lands. So it is very easy for them to criticize those of us who live in the West for our lifestyle. It is very easy for those individuals to tell us to get off the Federal lands as if we had no right to be on those Federal lands.

Well, let us start with a little history. After I go through the history,

then I am going to move into the White River National Forest. It is one of the most beautiful forests in the world. It is an area which I grew up on. I was born and raised in Colorado. My family has been there for multiple generations. I can tell my colleagues that there are a lot of people that are very proud of the White River National Forest. So we will move into the White River National Forest.

But, first of all, let us start with a little history on the concept of multiple use. In the early days of this country, the United States, as a young country, wanted to expand. Obviously the only place to expand was west because our people and our country started over here on the eastern coast near the Atlantic Ocean.

But as the United States began to acquire land, for example, through purchases like the Louisiana Purchase, they needed to come out here into these new lands. Back then, having a deed for property, unlike today, today if one has a deed for property, it really means something. One can go into the courts and enforce it. In those days, in the frontier days and the early days of the settlement of the United States as we know it today, having a deed did not mean a whole lot. One had to have possession. That is where, for example, the saying possession is nine-tenths of the law. That is where that saying came from.

So the challenge that faced our government in the East was how do we encourage our citizens who have the comfort of living in the East to become frontiersmen, and I say that generically, to become frontiersmen to go West and settle the West and get possession of the lands that we want to become later States in the United States.

So the idea they came up with is, well, let us do the American dream. One of the pillars of capitalism, one of the pillars of freedom, one of the pillars of which the concept of our government was made, that is private property. Let us give them some land. I think it is every American's dream to own their own home, to own a piece of property.

It was many, many years ago, hundreds of years ago when our country was formed. So they thought, the leaders at that time, the way to get these people to move out here to the West, to settle all of this new land, let us give them land. Let us see if they go out there and they work on the land, and they show that they really care about the land and they devote themselves to the land. Let us give them the land, maybe 160 acres, maybe 320 acres. It is called the Homestead Act.

That worked pretty well, except when one got to the West, to the West right here, out here, 160 acres, for example, in Kansas or 160 acres in Nebraska or 160 acres in Ohio or 160 acres elsewhere, in Missouri or Mississippi, one could support a family, or maybe 320 acres, one could support a family off that.