



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF LEGISLATION AND CONGRESSIONAL AFFAIRS

Memorandum

May 17, 1995

TO: Mike Smith  
Mike Cohen  
Terry Peterson  
Frank Holleman

FROM: Tom Wolanin *Tw*

RE: House Action on NESIC

Attached, for your information, is the Congressional Record text of the action on the NESIC repeal bill. Note particularly Goodling's statement: "... I want to make it very clear, academic standards based reform remains one of the most promising strategies for improving education for all children in our Nation."

Floor Procedure in the 104th Congress; Compiled by the Rules Committee Democrats—Continued

| Bill No.      | Title                                                                      | Resolution No.  | Process used for floor consideration                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Amendments in order |
|---------------|----------------------------------------------------------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| H.R. 5*       | Unfunded Mandates                                                          | H. Res. 38      | Restrictive: Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.                                                                                                                                                                                                                                                                                                                                                                          | N/A                 |
| H.J. Res. 2*  | Balanced Budget                                                            | H. Res. 44      | Restrictive: only certain substitutes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 2R; 4D              |
| H. Res. 43    | Committee Hearings Scheduling                                              | H. Res. 43 (00) | Restrictive: considered in House on amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | N/A                 |
| H.R. 2*       | Line Item Veto                                                             | H. Res. 55      | Open: Pre-printing gets preference                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | N/A                 |
| H.R. 665*     | Victim Restitution Act of 1995                                             | H. Res. 61      | Open: Pre-printing gets preference                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | N/A                 |
| H.R. 666*     | Exclusionary Rule Reform Act of 1995                                       | H. Res. 60      | Open: Pre-printing gets preference                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | N/A                 |
| H.R. 667*     | Violent Criminal Incarceration Act of 1995                                 | H. Res. 63      | Restrictive: 10 hr. Time Cap on amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | N/A                 |
| H.R. 668*     | The Criminal Alien Deportation Improvement Act                             | H. Res. 69      | Open: Pre-printing gets preference; Contains self-executing provision                                                                                                                                                                                                                                                                                                                                                                                                                                                    | N/A                 |
| H.R. 728*     | Local Government Law Enforcement Block Grants                              | H. Res. 79      | Restrictive: 10 hr. Time Cap on amendments; Pre-printing gets preference                                                                                                                                                                                                                                                                                                                                                                                                                                                 | N/A                 |
| H.R. 7*       | National Security Revitalization Act                                       | H. Res. 83      | Restrictive: 10 hr. Time Cap on amendments; Pre-printing gets preference                                                                                                                                                                                                                                                                                                                                                                                                                                                 | N/A                 |
| H.R. 729*     | Death Penalty/Habeas                                                       | N/A             | Restrictive: brought up under UC with a 6 hr. time cap on amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                     | N/A                 |
| S. 2          | Senate Compliance                                                          | N/A             | Closed: Put on suspension calendar over Democratic objection                                                                                                                                                                                                                                                                                                                                                                                                                                                             | None                |
| H.R. 831      | To Permanently Extend the Health Insurance Deduction for the Self-Employed | H. Res. 88      | Restrictive: makes in order only the Gibbons amendment; waives all points of order; Contains self-executing provision.                                                                                                                                                                                                                                                                                                                                                                                                   | 1D                  |
| H.R. 830*     | The Paperwork Reduction Act                                                | H. Res. 91      | Open                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | N/A                 |
| H.R. 889      | Emergency Supplemental/Rescinding Certain Budget Authority                 | H. Res. 92      | Restrictive: makes in order only the Obey substitute                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 1D                  |
| H.R. 450*     | Regulatory Moratorium                                                      | H. Res. 93      | Restrictive: 10 hr. Time Cap on amendments; Pre-printing gets preference                                                                                                                                                                                                                                                                                                                                                                                                                                                 | N/A                 |
| H.R. 1022*    | Risk Assessment                                                            | H. Res. 96      | Restrictive: 10 hr. Time Cap on amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | N/A                 |
| H.R. 926*     | Regulatory Flexibility                                                     | H. Res. 100     | Open                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | N/A                 |
| H.R. 925*     | Private Property Protection Act                                            | H. Res. 101     | Restrictive: 12 hr. time cap on amendments; Requires Members to pre-prioritize their amendments in the Record prior to the bill's consideration for amendment; waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.                                                                                                                                                                           | 1D                  |
| H.R. 1058*    | Securities Litigation Reform Act                                           | H. Res. 105     | Restrictive: 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaneness against it.                                                                                                                                                                                                                                                                                                                                                                           | 1D                  |
| H.R. 988*     | The Attorney Accountability Act of 1995                                    | H. Res. 104     | Restrictive: 7 hr. time cap on amendments; Pre-printing gets preference                                                                                                                                                                                                                                                                                                                                                                                                                                                  | N/A                 |
| H.R. 956*     | Product Liability and Legal Reform Act                                     | H. Res. 109     | Restrictive: makes in order only 15 germane amendments and denies 64 germane amendments from being considered.                                                                                                                                                                                                                                                                                                                                                                                                           | 8D; 7R              |
| H.R. 1158     | Making Emergency Supplemental Appropriations and Rescissions               | H. Res. 115     | Restrictive: Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXII against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) of rule XXII against the amendments in the Record; 10 hr time cap on amendments; 30 minutes debate on each amendment. | N/A                 |
| H.J. Res. 73* | Term Limits                                                                | H. Res. 116     | Restrictive: Makes in order only 4 amendments considered under a "Queen of the Hill" procedure and denies 21 germane amendments from being considered.                                                                                                                                                                                                                                                                                                                                                                   | 1D; 3R              |
| H.R. 4*       | Welfare Reform                                                             | H. Res. 119     | Restrictive: Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a "Queen of the Hill" procedure; All points of order are waived against the amendments.                                                                                                                                                                                                                                                   | 5D; 26R             |
| H.R. 1271*    | Family Privacy Act                                                         | H. Res. 125     | Open                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | N/A                 |
| H.R. 660*     | Housing for Older Persons Act                                              | H. Res. 126     | Open                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | N/A                 |
| H.R. 1215*    | The Contract With America Tax Relief Act of 1995                           | H. Res. 129     | Restrictive: Self Executes language that makes tax cuts contingent on the adoption of a balanced budget plan and strikes section 3006. Makes in order only one substitute. Waives all points of order against the bill, substitute made in order as original text and Gephardt substitute.                                                                                                                                                                                                                               | 1D                  |
| H.R. 483      | Medicare Select Extension                                                  | H. Res. 130     | Restrictive: waives cl 2(1)(6) of rule XI against the bill; makes H.R. 1391 in order as original text; makes in order only the Dingell substitute; allows Commerce Committee to file a report on the bill at any time.                                                                                                                                                                                                                                                                                                   | 1D                  |
| H.R. 555      | Hydrogen Future Act                                                        | H. Res. 136     | Open                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | N/A                 |
| H.R. 1361     | Coast Guard Authorization                                                  | H. Res. 139     | Open: waives sections 302(f) and 308(a) of the Congressional Budget Act against the bill's consideration and the committee substitute; waives cl 5(a) of rule XXII against the committee substitute.                                                                                                                                                                                                                                                                                                                     | N/A                 |
| H.R. 961      | Clean Water Act                                                            | H. Res. 140     | Open: pre-printing gets preference; waives sections 302(f) and 602(b) of the Budget Act against the bill's consideration; waives cl 7 of rule XVI, cl 5(a) of rule XXII and section 302(f) of the Budget Act against the committee substitute. Makes in order Shuster substitute as first order of business.                                                                                                                                                                                                             | N/A                 |
| H.R. 535      | Conning National Fish Hatchery Conveyance Act                              | H. Res. 144     | Open                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | N/A                 |
| H.R. 584      | Conveyance of the Fairport National Fish Hatchery of the State of Iowa     | H. Res. 145     | Open                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | N/A                 |
| H.R. 614      | Conveyance of the New London National Fish Hatchery Production Facility    | H. Res. 146     | Open                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | N/A                 |

\*Contract Bills, 67% restrictive; 33% open. \*\*All legislation, 59% restrictive; 41% open. \*\*\*Restrictive rules are those which limit the number of amendments which can be offered, and include so called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103rd Congress. \*\*\*\*Not included in this chart are three bills which should have been placed on the Suspension Calendar, H.R. 101, H.R. 400, H.R. 440.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. WALDHOLTZ. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was on the table.

#### ELIMINATING NATIONAL EDUCATION STANDARDS AND IMPROVEMENT COUNCIL FROM THE GOALS 2000: EDUCATE AMERICA ACT

Mr. GOODLING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1045) to amend the Goals 2000: Educate America Act to eliminate the National Education Standards and Improvement Council, and for other purposes, as amended.

The Clerk read as follows:

#### H.R. 1045

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

#### SECTION 1. ELIMINATION OF THE NATIONAL EDUCATION STANDARDS AND IMPROVEMENT COUNCIL.

(a) REPEALS.—Subsection (b) of section 241, sections 211 through 218 of Part B of title II, and section 316 of the Goals 2000: Educate America Act (20 U.S.C. 5841 et seq.) are repealed.

#### (b) AMENDMENTS TO GOALS 2000: EDUCATE AMERICA ACT.—

(1) Section 201(3) of the Goals 2000: Educate America Act (20 U.S.C. 5812(3)) is amended by striking all that follows after "opportunity-to-learn standards" and inserting a period.

(2) Section 203(a) of such Act (20 U.S.C. 5823(a)) is amended by striking paragraphs (3) and (4) and by redesignating paragraphs (5) and (6) as paragraphs (3) and (4), respectively.

(3) Section 204(a)(2) of such Act (20 U.S.C. 5824) is amended by striking "described in section 213(f)".

(4) Section 219 of such Act (20 U.S.C. 5849) is amended—

(A) in subsection (a)(1) by striking "consistent with the provisions of section 213(c)."; and

(B) by striking subsection (b) and inserting the following:

"(b) APPLICATIONS.—Each consortium that desires to receive a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require."

(5) Section 220(a) of such Act (20 U.S.C. 5850(a)) is amended by striking "to be used" and all that follows through "by the Council".

(6) Section 221(a) of such Act (20 U.S.C. 5851(a)) is amended—

(A) in paragraph (1)—

(i) subparagraph (A), by striking "and the Council"; and

(ii) by striking subparagraphs (B) and (C) and redesignating subparagraph (D) as subparagraph (B); and

(B) in paragraph (2), by striking "and the Council, as appropriate."

(7) Section 308(b)(2)(A) of such Act (20 U.S.C. 5888(b)(2)(A)) is amended by striking "including—" and all that follows through the end of clause (ii) and inserting "including through consortia of States".

(8) Section 314(a)(6) of such Act (20 U.S.C. 5894(a)(6)) is amended by striking "if—" and all that follows through "(B)" and inserting "if".

(9) Section 315 of such Act (20 U.S.C. 5895) is amended in subsection (b)—

(A) paragraph (1)(A), by striking "paragraph (4) of this subsection" and inserting "paragraph (3)";

(B) by striking paragraph (2);  
(C) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively;

(D) in subparagraph (B) of paragraph (3) (as redesignated), by striking "paragraph (5)," and inserting "paragraph (4)"; and

(E) in paragraph (4) (as redesignated), by striking "paragraph (4)" each place it appears and inserting "paragraph (3)".

(c) NATIONAL SKILL STANDARDS ACT OF 1994.—

(1) Section 503 of the National Skill Standards Act of 1994 (20 U.S.C. 5933) is amended—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking "28" and inserting "(27)";

(II) by striking subparagraph (D); and

(III) by redesignating subparagraphs (E) through (G) as subparagraphs (D) through (F), respectively;

(ii) in paragraphs (2), (3), and (5), by striking "subparagraphs (E), (F), and (G)" each place it appears and inserting "subparagraphs (D), (E), and (F)";

(iii) in paragraph (2), by striking "subparagraph (G)" and inserting "subparagraph (F)";

(iv) in paragraph (4), by striking "(C), and (D)" and inserting "and (C)"; and

(v) in the matter preceding subparagraph (A) of paragraph (5), by striking "subparagraph (E), (F), or (G)" and inserting "subparagraphs (D), (E), or (F)"; and

(B) in subsection (c)—

(i) in paragraph (1)(B), by striking "subparagraph (E)" and inserting "subparagraph (D)"; and

(ii) in paragraph (2), by striking "subparagraphs (E), (F), and (G)" and inserting "subparagraphs (D), (E), and (F)".

(2) Section 504 of such Act (20 U.S.C. 5934) is amended—

(A) by striking subsection (f); and

(B) by redesignating subsection (g) as subsection (f).

(d) AMENDMENT TO ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—Section 14701(b)(1)(B)(v) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8941(b)(1)(B)(v)) is amended—

(1) by inserting "and" before "the National Education Goals Panel"; and

(2) by striking ", and the National Education Statistics and Improvement Council".

(d) AMENDMENT TO GENERAL EDUCATION PROVISIONS ACT.—Section 428 of the General Education Provisions Act (20 U.S.C. 1228b), as amended by section 237 of the Improving America's Schools Act of 1994 (Public Law 103-382), is amended by striking "the National Education Standards and Improvement Council".

## SEC. 2. TECHNICAL AND COINFORMING AMENDMENTS.

The table of contents for the Goals 2000: Educate America Act is amended, in the items relating to title II, by striking the items relating to sections 211 through 218 of part B of such title and the item relating to section 316.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 20 minutes, and the gentleman from Michigan [Mr. KILDEE] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would announce in advance that the floor prep statement put out by my side of the aisle is incorrect on this particular issue.

Mr. Speaker, today we are considering H.R. 1045, a bill to repeal the National Education Standards and Improvement Council [NESIC]. This legislation has bipartisan support and I hope that when we pass this legislation today, the other body will take it up immediately and send it to the President for his signature.

The National Education Standards and Improvement Council [NESIC] created by Goals 2000 is a Presidentially appointed council that has the mission of reviewing and certifying national education standards and State education standards that are voluntarily submitted. Because decisions about educating our children are primarily decided at the local level by parents, teachers and students, NESIC, commonly referred to as a "national school board," has generated great controversy about continued local control of education.

The distance between standards and curriculum is not very great. Currently, there is a prohibition on the Federal Government dictating curriculum to States and school districts and there is good reason to be wary of Federal involvement in certifying education standards. The seriously flawed and justifiably controversial history standards illustrate how the standards-setting process can go awry and point out the dangers of having a Presidentially appointed unaccountable body certifying education standards.

However, I want to make it very clear, academic standards based reform remains one of the most promising strategies for improving education for all children in our Nation. Academic standards are a statement of learning outcomes. What children need to know and be able to do. I think parents want to know what their children actually learned rather than that they spent 180 days in school and earned a Carnegie unit. There must be rigorous academic standards and not vague and fuzzy attempts to shape students' attitudes and values, matters that should be left to parents. The most important standards development must take place in our local communities and school districts. However, Federal certification of these standards is not necessary for this process to be effective or constructive.

While I recognize that many of my colleagues would like to go much further in limiting Federal involvement in education, I want to assure them that they will have the opportunity as our committee considers broader education reform legislation. By enacting this legislation today, it is my hope that this will put a stop to an unwarranted Federal intrusion into education while preserving education standards development by States and local school districts. To do less will certainly hamper any hope of the United States doing well in a very competitive world.

We must develop voluntary national and international standards in the aca-

demically subject areas and develop voluntary assessment tools to determine whether the standards are met. Teachers must then be prepared to teach to these higher standards.

I, therefore, urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. KILDEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of this compromise.

I also want to thank my committee chairman and friend, BILL GOODLING, for his efforts. We have a long history of bipartisan cooperation in our committee and that, in large measure, is due to the influence of our committee chairman.

As someone who has served on this committee for 18 years, I want to underscore my own belief that education is a State responsibility, a local function, and an important Federal concern.

That is an appropriate balance which has deep roots in our Nation's history.

Our Nation is in the midst of a period of profound change. We are facing economic challenges from our global competitors that make it absolutely imperative that our children achieve to the highest possible academic standards. We are now a highly mobile society. People do not always live and work in the communities in which they were born. And, rarely does the employment base stay the same. Business and industry respond to the demands of the marketplace and so must our schools. We owe that to the children.

Mr. Speaker, reform of our system of public education is one of the most critical tasks we face. We made a good deal of progress in the last Congress. I believe the bill we have before us today will preserve that progress while it meets the consideration of those who felt some concern.

Again, my thanks to my committee chairman GOODLING and I would also like to acknowledge the hard work of your staff, particularly John Barth, Sally Lovejoy, Vic Klatt, and Jomarie St. Martin. And our staff Sara Davis, Broderick Johnson, and Dr. June Harris.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GOODLING. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. GOODLING] that the House suspend the rules and pass the bill, H.R. 1045, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

**Revised Provisions of Goals 2000, Title II, Part A, to Authorize the National Education Goals Panel to Review and Comment on Voluntary National and State Standards**

Comment: To achieve the objective of deleting the National Education Standards and Improvement Council (NESIC) and authorizing the National Education Goals Panel to review and comment on voluntary national and state standards, it is necessary to amend Mr. Goodling's proposed bill, PART A, in the following ways: 1) In Sec. 201. PURPOSE to delete references to NESIC and certification and to include reference to State standards; 2) In Sec. 203. DUTIES to include Panel authority for review and comment; 3) In Sec. 203. REPORT to include Panel responsibility for reporting on such reviews and comments that it makes; 4) In Sec. 203, to incorporate the SPECIAL RULES which were formerly in Part B and which provide safeguards for the States by assuring their participation in Goals 2000, Title III, cannot be a condition for participating in other Federal programs; and 5) In Sec. 204. POWERS OF THE GOALS PANEL--HEARINGS to include authority for hearings related to review and comment on standards and assessments. Suggested legislative language follows:

Parts of Sections 201, 203 and 204 would be amended to read as follows:

**Sec. 201 (3) PURPOSE *[revised]***

(3) reviewing and commenting on [the voluntary national content standards, voluntary national student performance standards and voluntary national opportunity-to-learn standards certified by the National Education Standards and Improvement Council, as well as the criteria for the certification of such standards, and the criteria for the certification of State assessments certified by the National Education Standards and Improvement Council, with the option of disapproving such standards and criteria not later than 90 days after receipt from such Council.] such standards and assessments as are voluntarily advanced to the Panel to determine their quality, international competitiveness, and potential toward assisting students to achieve the National Education Goals.

**Sec. 203 (a) (3) DUTIES *[replaces (3) and (4) which are deleted because of provisions for NESIC]***

(3) Review and comment, on the basis of criteria established by the Panel on such standards and assessments as are voluntarily submitted to the Panel;

Sec. 203 (b) (1) (D) REPORT *[new]*

(D) report on its review and comment on standards and assessments.

Sec. 203 (c) SPECIAL RULES *[These provisions in Part B are deleted by Mr. Goodling's bill. They should be revised and transferred from Sec. 213 (h)]*

(1) UNCONDITIONED STATE PARTICIPATION--No State shall be required to have Panel review and comment on its standards or assessments or to participate in programs under title III of this Act, as a condition of participating in any Federal education program under this or any other Act.

(2) CONSTRUCTION--Nothing in this Act shall be construed to create a legally enforceable right for any person against a State, local educational agency, or school based on a standard or assessment review and comment by the Panel or the criteria developed by the Panel for such review and comment.

Sec. 204 (a) (2) POWERS OF THE GOALS PANEL--HEARINGS *[revised]*

(2) REPRESENTATION -- In carrying out this part, the Goals Panel shall conduct hearings to receive reports, views, and analyses of a broad spectrum of experts and the public on the establishment of and review and comment on *[voluntary national content standards, voluntary national student performance standards, voluntary national opportunity-to-learn standards, and State]* standards and assessments.

May 4, 1995

**NATIONAL  
GOVERNORS  
ASSOCIATION**

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May 10, 1995

The Honorable William F. Goodling  
Chairman  
Economic and Educational Opportunities Committee  
United States House of Representatives  
Washington D.C. 20515

Dear Mr. Chair:

It is our understanding that the 104th Congress may consider legislation to amend the Goals 2000: Educate America Act. Bills have been introduced in both the House and the Senate and at a recent hearing on the issue of standards, the House Subcommittee on Oversight and Investigations heard testimony on the legislation pending before the Economic and Educational Opportunities Committee. The Governors believe that Congress should amend certain provisions of the Goals 2000: Educate America Act. We write to share with you our recommendations for improving this act and urge your careful consideration of our concerns. Our comments appear in the order in which the issues appear in current law.

#### **The National Education Goals Panel**

The National Education Goals Panel was created in 1990 to annually report to the nation on the achievement of the national education goals. In order to ensure the highest degree of accountability for achieving the national education goals, the Governors and then-President George Bush agreed that a Governor should chair the panel. Under current law, the panel elects its own chair. The Governors view this change as a violation of the principles of accountability on which the panel was established and urge Congress to modify the act to ensure that a Governor chairs the panel.

In addition, the Governors are concerned with the provision currently being considered by the House that would make the U.S. Secretary of Education an ex-officio member of the panel in the event that the secretary was not appointed to serve on the panel by the President. If this provision is put into effect, it would destroy the bipartisan balance on the panel. Governors strongly believe that school reform and the achievement of the goals are not partisan issues and that the bipartisan spirit of the panel has permitted it to provide a steady hand at the national level to school reform efforts. The Governors urge Congress to strike this provision and therefore guarantee that the panel will remain bipartisan.

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Finally, we ask that the role of the panel's responsibilities with respect to academic content standards be preserved only to review and comment on standards voluntarily submitted by the states. We believe that the Panel currently has the authority to provide states with technical assistance in developing and evaluating their academic content standards and urge the panel, through its resource groups and relationships with state-based organizations, to provide such technical assistance. However, we do not believe that it would be appropriate for the panel to certify state standards.

### **The National Education Standards and Improvement Council**

Like many others in the education community, the Governors call for the elimination of the National Education Standards and Improvement Council (NESIC). Although NGA originally endorsed the concept of a standards council, the final legislation significantly weakened the oversight by the panel over NESIC. We share the concerns of many in the nation about the intrusion of the federal government into our nation's schools and believe that the final appointment process and the lack of meaningful oversight by elected officials provided for in the current law could result in an inappropriately powerful federal body. Perceptions and concerns about NESIC have also begun to undermine the important progress made by the states in academic standards-based reform efforts. Although we urge Congress to abolish NESIC, we also urge that Congress continue to preserve flexibility for the panel to assert appropriate leadership in the area of standards.

### **Assessments**

The Governors also urge Congress to strike the prohibitions on the use of assessments included in the current act. States must be able to act on information provided by such assessments in order to correct the flaws in the existing system and to change incentives to improve student academic achievement.

### **Title III: State and Local Education Systemic Improvement**

We urge Congress to amend Title III of the bill to give states greater flexibility in developing and implementing education reform plans. We believe that as the chief executive officer of the state, the Governor is ultimately responsible for the quality of the education system. In addition, we believe that only the Governor can provide the leadership to make school reform a high priority for the state. Therefore, we believe that the Governor should, in consultation with the chief state school officer and local education agencies, appoint the reform panel or, as provided for in law, appoint an existing state body. In addition, we believe that the Governor should have the authority to approve the plan before it is submitted to the secretary. The governance language included in the School-to-Work Opportunities Act, including specific language to prevent the preemption of state law, should serve as the model for Goals 2000. Finally, the Governors believe that states are in the best position to determine the type of panel that should guide reform and who should serve on the panel; we urge Congress to remove the highly prescriptive list that is included in the law.

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We agree with many in Congress who are opposed to federal intervention on the issues of opportunity-to-learn (OTL) standards—even in a voluntary program—and ask that all references to opportunity-to-learn be deleted from the Act, including reporting requirements on OTL by the panel.

Finally, we encourage Congress to expand the EdFlex program. Given the high participation rate of states in the Goals 2000 program, we believe that the program should be expanded to accommodate six additional states.

We ask that these provisions be included in any legislation to amend the Goals 2000: Educate America Act and look forward to working with you to develop such legislation.

Sincerely,

  
Governor Christine T. Whitman  
Co-lead Governor on Education

  
Governor James B. Hunt Jr.  
Co-lead Governor on Education

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. 1045**  
**OFFERED BY MR. GOODLING**

Strike all after the enacting clause and insert the  
following:

**1 SECTION. 1. ELIMINATION OF THE NATIONAL EDUCATION**  
**2 STANDARDS AND IMPROVEMENT COUNCIL.**

**3 (a) REPEALS.**—Subsection (b) of section 241, sec-  
**4 tions 211 through 218 of Part B of title II, and section**  
**5 316 of the Goals 2000: Educate America Act (20 U.S.C.**  
**6 5841 et seq.) are repealed.**

**7 (b) AMENDMENTS TO GOALS 2000: EDUCATE AMER-**  
**8 ICA ACT.**—

**9 (1) Section 201(3) of the Goals 2000: Educate**  
**10 America Act (20 U.S.C. 5812(3)) is amended by**  
**11 striking all that follows after “opportunity-to-learn**  
**12 standards” and inserting a period.**

**13 (2) Section 203(a) of such Act (20 U.S.C.**  
**14 5823(a)) is amended by striking paragraphs (3) and**  
**15 (4) and by redesignating paragraphs (5) and (6) as**  
**16 paragraphs (3) and (4), respectively.**

**17 (3) Section 204(a)(2) of such Act (20 U.S.C.**  
**18 5824) is amended by striking “described in section**  
**19 213(f)”.**

1 (4) Section 219 of such Act (20 U.S.C. 5849)  
2 is amended—

3 (A) in subsection (a)(1) by striking “con-  
4 sistent with the provisions of section 213(c),”;  
5 and

6 (B) by striking subsection (b) and insert-  
7 ing the following:

8 (b) APPLICATIONS.—Each consortium that desires to  
9 receive a grant under this subsection shall submit an ap-  
10 plication to the Secretary at such time, in such manner,  
11 and containing such information and assurances as the  
12 Secretary may require.

13 (5) Section 220(a) of such Act (20 U.S.C.  
14 5850(a)) is amended by striking “to be used” and  
15 all that follows through “by the Council”.

16 (6) Section 221(a) of such Act (20 U.S.C.  
17 5851(a)) is amended—

18 (A) in paragraph (1)—

19 (i) subparagraph (A), by striking  
20 “and the Council”; and

21 (ii) striking subparagraph (B) and  
22 (C) and redesignating subparagraph (D)  
23 as subparagraph (B); and

24 (B) in paragraph (2), by striking “and the  
25 Council, as appropriate,”.

1           (7) Section 308(b)(2)(A) of such Act (20  
2       U.S.C. 5888(b)(2)(A)) is amended by striking “ in-  
3       cluding—” and all that follows through the end of  
4       clause (ii) and inserting “including through consor-  
5       tia of States”.

6           (8) Section 314(a)(6) of such Act (20 U.S.C.  
7       5894(a)(6)) is amended by striking “, if—” and all  
8       that follows through “(B)” and inserting “if”.

9           (9) Section 315 of such Act (20 U.S.C. 5895)  
10      is amended—

11                (A) in subsection (b)—

12                    ((i) paragraph (1)(A), by striking  
13                    “paragraph (4) of this subsection” and in-  
14                    serting “paragraph (3)”;

15                    (ii) by striking paragraph (2);

16                    (iii) by redesignating paragraphs (3)  
17                    through (5) as paragraphs (2) through (4),  
18                    respectively;

19                    (iv) in subparagraph (B) of paragraph  
20                    (3) (as redesignated), by striking “para-  
21                    graph (5),” and inserting “paragraph  
22                    (4),”; and

23                    (v) in paragraph (4) (as redesign-  
24                    ated), by striking “paragraph (4)” each

1 place it appears and inserting "paragraph  
2 (3)"; and

3 ((B) in subsection (c)(1)(A) by striking  
4 "paragraph (4)" and inserting "paragraph  
5 (3)".

6 (10) Section 503 of such Act (20 U.S.C. 5933)  
7 is amended—

8 (A) in subsection (b)—

9 (i) in paragraph (1)—

10 (I) in the matter preceding sub-  
11 paragraph (A), by striking "28" and  
12 inserting "27";

13 (II) by striking subparagraph  
14 (D); and

15 (III) by redesignating subpara-  
16 graphs (E) through (G) as subpara-  
17 graphs (D) through (F), respectively;

18 (ii) in paragraphs (2), (3), and (5), by  
19 striking "subparagraphs (E), (F), and  
20 (G)" each place it appears and inserting  
21 "subparagraphs (D), (E), and (F)";

22 (iii) in paragraph (2), by striking  
23 "subparagraph (G)" and inserting "sub-  
24 paragraph (F)";

1 (iv) in paragraph (4), by striking  
2 “(C), and (D)” and inserting “and (C)”;  
3 and

4 (v) in the matter preceding subpara-  
5 graph (A) of paragraph (5), by striking  
6 “subparagraph (E), (F), or (G)” and in-  
7 serting “subparagraph (D), (E), or (F)”;  
8 and  
9 (B) in subsection (c)—

10 (i) in paragraph (1)(B), by striking  
11 “subparagraph (E)” and inserting “sub-  
12 paragraph (D)”;

13 (ii) in paragraph (2), by striking  
14 “subparagraphs (E), (F), and (G)” and in-  
15 serting “subparagraphs (D), (E), and  
16 (F)”.

17 (11) Section 504 of such Act (20 U.S.C. 5934)  
18 is amended—

19 (A) by striking subsection (f); and

20 (B) by redesignating subsection (g) as sub-  
21 section (f).

22 (c) AMENDMENT TO ELEMENTARY AND SECONDARY  
23 EDUCATION ACT OF 1965.—Section 14701(b)(1)(B)(v) of  
24 such the Elementary and Secondary Education Act of  
25 1965 (20 U.S.C. 8941(b)(1)(B)(v)) is amended—

1 (1) by inserting "and" before "the National  
2 Education Goals Panel"; and

3 (2) by striking ", and the National Education  
4 Statistics and Improvement Council".

5 (d) AMENDMENT TO GENERAL EDUCATION PROVI-  
6 SIONS ACT.—Section 428 of the General Education Provi-  
7 sions Act (20 U.S.C. 1228b), as amended by section 237  
8 of the Improving America's Schools Act of 1994 (Public  
9 Law 103-382), is amended by striking "the National Edu-  
10 cation Standards and Improvement Council,".

11 SEC. 2. TECHNICAL AND CONFORMING AMENDMENTS.

12 The table of contents for the Goals 2000: Educate  
13 America Act is amended, in the items relating to title II,  
14 by striking the items relating to sections 211 through 218  
15 of part B of such title.

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H.L.C.

*Bill Goodling*  
(Original signature of Member)

104TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

IN THE HOUSE OF REPRESENTATIVES

Mr. GOODLING introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

**A BILL**

To amend the Goals 2000: Educate America Act to eliminate  
the National Education Standards and Improvement  
Council, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ELIMINATION OF THE NATIONAL EDUCATION**

4 **STANDARDS AND IMPROVEMENT COUNCIL.**

5 (a) **REPEALS.**—Subsection (b) of section 241, section

6 316, and Part B of title II of the Goals 2000: Educate

7 America Act (20 U.S.C. 5841 et seq.) are repealed.

8 (b) **AMENDMENTS TO GOALS 2000: EDUCATE AMER-**

9 **ICA ACT.**—

✓ review and  
comment  
state; national

✓ goals  
OTL  
✓ assessments  
✓ evaluation

Page 24  
✓ unconditional  
✓ constructive

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eliminates - NESPIC  
① OTE Grant-national  
② Assessment Dev. Grant  
④ NAS/NAG eval. & NESPIC

(1) Section 203(a) of the Goals 2000: Educate America Act (20 U.S.C. 5823(a)) is amended by striking paragraphs (3) and (4) and by redesignating paragraphs (5) and (6) as paragraphs (3) and (4), respectively.

(2) Section 308(b)(2)(A) of such Act (20 U.S.C. 5888(b)(2)(A)) is amended by striking "including—" and all that follows through the end of clause (ii) and inserting "including through consortia of States".

(3) Section 314(a)(6) of such Act (20 U.S.C. 5894(a)(6)) is amended by striking ", if—" and all that follows through "(B)" and inserting "if".

(4) Section 315(b) of such Act (20 U.S.C. 5895) is amended—

(A) by striking paragraph (2);

(B) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively.

(5) Section 503 of such Act (20 U.S.C. 5933) is amended—

(A) in subsection (b)—

(i) in paragraph (1)—

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3

1 (I) in the matter preceding sub-  
2 paragraph (A), by striking "28" and  
3 inserting "27";

4 (II) by striking subparagraph  
5 (D); and

6 (III) by redesignating subpara-  
7 graphs (E) through (G) as subpara-  
8 graphs (D) through (F), respectively;

9 (ii) in paragraphs (2), (3), and (5), by  
10 striking "subparagraphs (E), (F), and  
11 (G)" each place it appears and inserting  
12 "subparagraphs (D), (E), and (F)";

13 (iii) in paragraph (2), by striking  
14 "subparagraph (G)" and inserting "sub-  
15 paragraph (F)";

16 (iv) in paragraph (4), by striking  
17 "(C), and (D)" and inserting "and (C)";  
18 and

19 (v) in the matter preceding subpara-  
20 graph (A) of paragraph (5), by striking  
21 "subparagraph (E), (F), or (G)" and in-  
22 serting "subparagraph (D), (E), or (F)";  
23 and

24 (B) in subsection (c)—

1 (i) in paragraph (1)(B), by striking  
2 “subparagraph (E)” and inserting “sub-  
3 paragraph (D)”;

4 (ii) in paragraph (2), by striking  
5 “subparagraphs (E), (F), and (G)” and in-  
6 serting “subparagraphs (D), (E), and  
7 (F)”.

8 (6) Section 504 of such Act (20 U.S.C. 5934)  
9 is amended—

10 (A) by striking subsection (f); and

11 (B) by redesignating subsection (g) as sub-  
12 section (f).

13 (c) AMENDMENT TO ELEMENTARY AND SECONDARY  
14 EDUCATION ACT OF 1965.—Section 14701(b)(1)(B)(v) of  
15 such the Elementary and Secondary Education Act of  
16 1965 (20 U.S.C. 8941(b)(1)(B)(v)) is amended—

17 (1) by inserting “and” before “the National  
18 Education Goals Panel”; and

19 (2) by striking “, and the National Education  
20 Statistics and Improvement Council”.

21 (d) AMENDMENT TO GENERAL EDUCATION PROVI-  
22 SIONS ACT.—Section 428 of the General Education Provi-  
23 sions Act (20 U.S.C. 1228b), as amended by section 237  
24 of the Improving America's Schools Act of 1994 (Public

1 Law 103-382), is amended by striking "the National Edu-  
2 cation Standards and Improvement Council,".

3 SEC. 2. TECHNICAL AND CONFORMING AMENDMENTS.

4 The table of contents for the Goals 2000: Educate  
5 America Act is amended, in the items relating to title II,  
6 by striking the items relating to part B of such title.

HR1558 Goodling B. (R-PA) 05/03/95 (104 lines)  
Introduced in House

To amend the Goals 2000: Educate America Act to eliminate the  
National Education Standards and Improvement Council, and for  
other purposes.

Special typefaces used in this bill version:

// \ Italic

!! !! Bold roman

Item Key: 3522

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104TH CONGRESS  
1ST SESSION

H. R. 1558

To amend the Goals 2000: Educate America Act to eliminate the  
National Education Standards and Improvement Council, and for  
other purposes.

=====

IN THE HOUSE OF REPRESENTATIVES

May 3, 1995

Mr. GOODLING introduced the following bill; which was referred to  
the Committee on Economic and Educational Opportunities

=====

A BILL

(iv) in paragraph (4), by striking "(C), and (D)" and inserting "and (C)"; and

(v) in the matter preceding subparagraph (A) of paragraph (5), by striking "subparagraph (E), (F), or (G)" and inserting "subparagraph (D), (E), or (F)"; and (B) in subsection (c)--

(i) in paragraph (1)(B), by striking "subparagraph (E)" and inserting "subparagraph (D)"; and

(ii) in paragraph (2), by striking "subparagraphs (E), (F), and (G)" and inserting "subparagraphs (D), (E), and (F)".

(6) Section 504 of such Act (20 U.S.C. 5934) is amended--

(A) by striking subsection (f); and

(B) by redesignating subsection (g) as subsection (f).

(c) AMENDMENT TO ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.--Section 14701(b)(1)(B)(v) of such the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8941(b)(1)(B)(v)) is amended--

(1) by inserting "and" before "the National Education Goals Panel"; and

(2) by striking ", and the National Education Statistics and Improvement Council".

(d) AMENDMENT TO GENERAL EDUCATION PROVISIONS ACT.--Section 428 of the General Education Provisions Act (20 U.S.C. 1228b), as amended by section 237 of the Improving America's Schools Act of 1994 (Public Law 103-382), is amended by striking "the National Education Standards and Improvement Council,".

## **!!SEC. 2. TECHNICAL AND CONFORMING AMENDMENTS.!!**

The table of contents for the Goals 2000: Educate America Act is amended, in the items relating to title II, by striking the items relating to part B of such title.

To amend the Goals 2000: Educate America Act to eliminate the National Education Standards and Improvement Council, and for other purposes.

//Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,\

**!!SECTION 1. ELIMINATION OF THE NATIONAL EDUCATION STANDARDS AND IMPROVEMENT COUNCIL.!!**

(a) REPEALS.--Subsection (b) of section 241, section 316, and Part B of title II of the Goals 2000: Educate America Act (20 U.S.C. 5841 et seq.) are repealed.

**(b) AMENDMENTS TO GOALS 2000: EDUCATE AMERICA ACT.--**

(1) Section 203(a) of the Goals 2000: Educate America Act (20 U.S.C. 5823(a)) is amended by striking paragraphs (3) and (4) and by redesignating paragraphs (5) and (6) as paragraphs (3) and (4), respectively.

(2) Section 308(b)(2)(A) of such Act (20 U.S.C. 5888(b)(2)(A)) is amended by striking "including--" and all that follows through the end of clause (ii) and inserting "including through consortia of States".

(3) Section 314(a)(6) of such Act (20 U.S.C. 5894(a)(6)) is amended by striking ", if--" and all that follows through "(B)" and inserting "if".

(4) Section 315(b) of such Act (20 U.S.C. 5895) is amended--

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively.

(5) Section 503 of such Act (20 U.S.C. 5933) is amended--

(A) in subsection (b)--

(i) in paragraph (1)--

(I) in the matter preceding subparagraph (A), by striking "28" and inserting "27";

(II) by striking subparagraph (D); and

(III) by redesignating subparagraphs (E) through (G) as subparagraphs (D) through (F), respectively;

(ii) in paragraphs (2), (3), and (5), by striking "subparagraphs (E), (F), and (G)" each place it appears and inserting "subparagraphs (D), (E), and (F)";

(iii) in paragraph (2), by striking "subparagraph (G)" and inserting "subparagraph (F)";



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

THE DIRECTOR

April 28, 1995

Honorable Bob Livingston  
Chairman  
Committee on Appropriations  
U.S. House of Representatives  
Washington, D.C. 20510

Dear Mr. Chairman:

The purpose of this letter is to provide the Administration's views on H.R. 1158, the Emergency Supplemental Appropriations for Additional Disaster Assistance and Rescissions Bill, FY 1995, as passed by the House and by the Senate.

The Administration is strongly opposed to the House version of the bill and believes that it would unnecessarily cut valuable, proven programs that educate our children, aid the disadvantaged, and protect our health and safety. If the President were presented a bill containing the objectionable provisions contained in the House version of the bill, as outlined below, he would veto the bill.

While the Senate version of the bill is acceptable, there are a number of provisions that could be improved. We urge the conferees to consider the concerns discussed below.

As the President stated at the April 26th Bipartisan Leadership meeting, he will shortly be sending to Congress a supplemental request for the costs of the Federal response to the Oklahoma City bombing. We urge the conferees to include such funding in H.R. 1158 and to present the President with a bill that he can sign so as not to delay providing these urgently needed funds.

Deficit Reduction

This Administration remains firmly committed to deficit reduction. In 1993, we worked with the Congress to enact the largest deficit reduction package in history: The Administration's economic plan helped bring the deficit down from \$290 billion in FY 1992 -- to \$203 billion in FY 1994, to a projected \$193 billion this year -- providing three straight years of deficit reduction for the first time since Harry Truman was President.

We believe that we can address the issue of deficit reduction and provide for the Middle Class Bill of Rights without putting low-income families at risk. In the FY 1996 Budget, the President has proposed significant rescissions for FY 1995 and additional program terminations in FY 1996 for numerous low-priority programs. The Administration does not believe that sound programs, especially those aimed at helping the disadvantaged, should be cut, particularly if such cuts were made to finance a tax cut for higher-income taxpayers.

#### Cutting Programs for Children, Education, and the Disadvantaged

The House-passed bill would impose severe reductions on a number of high-priority programs. These reductions would have a particularly harmful effect on our Nation's children and disadvantaged by cutting funding for National Service; the Summer Jobs program; Goals 2000; the Education for the Disadvantaged program; the Safe and Drug Free School Program; the Community Development Financial Institutions (CDFI) Fund; and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).

While the Senate version of the bill represents a significant improvement over the House-passed bill with respect to funding for these programs, the Administration has concerns over any reductions to programs that assist our Nation's children and the disadvantaged. The conferees are urged to restore full funding for these programs, or, at a minimum, accept the Senate levels.

#### Jordanian Debt Relief

The President has made clear that the provision of debt relief to Jordan can contribute to further progress toward a Middle East peace settlement. We strongly support the Senate language of H.R. 1158, which would appropriate the full \$275 million requested for forgiveness of Jordan's debt to the United States. Every Administration since the creation of the State of Israel has determined that the promotion of peace in the Middle East is a vital U.S. national interest. Jordan has taken important steps for peace at great risk. Jordan and other countries in the region need concrete evidence that the United States supports those steps and that we stand by our commitments. For this reason, full debt relief is of paramount importance. We support providing as much of the \$275 million of obligational authority in FY 1995 as possible.

Science and Technology

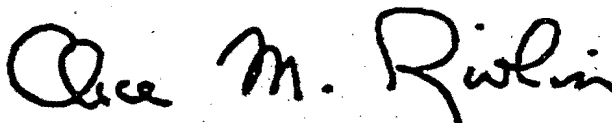
This Administration remains firmly committed to increasing the Nation's productivity and raising living standards by investing in science and technology. These investments will lead to a healthy, educated public; job creation and economic growth; world leadership in science, mathematics, and engineering; and harnessed information technology. The rescissions proposed by the House and the Senate for many science and technology programs would severely threaten the United States' standing with respect to technology advancements and competitiveness. These include programs in the Department of Commerce, such as the Manufacturing Extension Partnership, the National Information Infrastructure Grants Program, and the laboratories of the National Institute of Standards and Technology; and in the Department of Education, such as grants for the development and adoption of education technology. The Senate is to be commended for restoring funding for several of these programs. The conferees are urged to restore full funding for these programs or to accept the lower of the House or Senate rescission level so as not to imperil our Nation's standing on the technology frontier.

Striker Replacement

The Administration strongly opposes a provision in the House version of the bill that would prohibit the Executive Branch from using FY 1995 funds to issue, implement, administer, or enforce any Executive Order or other rule or order that prohibits Federal contracts with companies that hire permanent replacements for striking employees. This provision would impinge upon the Executive Branch's ability to ensure a stable supply of quality goods and services for the government's programs. The use of, or the threat to use, permanent replacement workers destroys opportunities for cooperative and stable labor-management relations.

Additional Administration concerns with the House and Senate versions of the bill are contained in the enclosure.

Sincerely,



Alice M. Rivlin  
Director

Identical Letters Sent to Honorable Bob Livingston,  
Honorable David R. Obey, Honorable Mark O. Hatfield,  
and Honorable Robert C. Byrd

Enclosure  
(Conference)

#### ADDITIONAL CONCERNS

**H.R. 1158 -- EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR ADDITIONAL  
DISASTER ASSISTANCE AND RESCISSIONS BILL, FY 1995**  
**(AS PASSED BY THE HOUSE AND THE SENATE)**

#### National Service Program

The \$416 million rescission proposed by the House for the Corporation for National and Community Service would virtually terminate the program. Remaining funds would provide only 4,000 of the proposed 33,000 opportunities for young adults to serve their communities as AmeriCorps members and earn an education award. The proposed rescission would eliminate funding for the Learn and Serve America program, which provides support for thousands of school children to learn responsibility to their community.

The Administration strongly believes that national service is a key to solving problems inside America's communities. This program has a proven track record. For example, AmeriCorps members have already reclaimed recreation areas in inner cities from gangs, and thousands of low-income and migrant children have received proper immunizations to protect their health. AmeriCorps members also have helped raise the spelling scores and reading levels of rural disadvantaged children, built homes for "working-poor" families, and provided disaster relief assistance to victims throughout the western part of the country.

The conferees are urged to restore full funding for this important program, or, at a minimum, to provide for a rescission of not more than \$105 million, the amount recommended by the Senate.

#### Summer Jobs

The Summer Jobs program provides meaningful work experience for hundreds of thousands of economically disadvantaged youth. These young people might otherwise not have any opportunity to learn necessary job skills and workplace behaviors during crucial formative years. The Administration is pleased that the Senate version of the bill would not reduce funding for this program for the summer of 1995, as proposed by the House. However, the Senate, like the House, would eliminate funding for the Summer Youth Employment

program in the summer of 1996, thereby eliminating job opportunities for about 615,000 disadvantaged youth. The Administration strongly believes that improving the job prospects of at-risk youth is an important element of a broader strategy to ensure employment opportunities for all Americans and a vibrant, productive workforce for U.S. business. At a minimum, the conferees are urged to accept the Senate's position on this program. If funding for the summer of 1996 is not restored in this bill, then the Administration will press for restoration in the FY 1996 budget process.

#### Education Programs

The House version of the bill would reduce funding for Goals 2000 by over one-third (\$174 million), thereby greatly diminishing support to States and communities for raising academic standards and improving their local schools. The House also proposes to cut the Education for the Disadvantaged program by \$148 million, which would reduce services to educationally disadvantaged children. The House version of the bill contains a sharp reduction -- \$65 million -- in funding for education technology programs, which would enable fewer local communities to put state-of-the-art tools of learning in classrooms where they are most needed to prepare our students for the future.

The Senate version of the bill would reduce Goals 2000 by \$8 million, cut the Education for the Disadvantaged program by \$8 million, and cut the Federal direct student loan program by \$95 million. The conferees are urged to restore full finding for Goals 2000, Education for the Disadvantaged, and education technology programs, or, at a minimum, approve the Senate levels.

#### Safe and Drug Free Schools

The Administration opposes the House action that would rescind nearly \$472 million in funding for the Safe and Drug Free School Program at the same time that every poll shows that crime and school safety are major concerns of Americans. This program is an important element of the Administration's fight against the use of drugs and stimulants by an alarmingly increasing number of our youth. The Administration is pleased that the Senate has restored funding for this important program and urges the conferees to adopt the Senate position.

Community Development Financial Institutions (CDFI) Fund

The proposed rescission of \$124 million contained in the House version of the bill would terminate the CDFI program. The Senate restored \$36 million of this amount. The conferees are urged to restore full funding for the CDFI program. The conferees are urged to ensure that the program remains balanced between existing and new community development financial institutions, as provided in the current authorization law.

Without full funding, in FYs 1995 and 1996 the CDFI Fund would be unable to provide: \$10 million in direct loan subsidies to support over \$23 million of direct loans to CDFIs; \$70.5 million in grants, technical assistance, and other financial assistance to CDFIs; and \$39 million in community development incentives for depository institutions. The Fund's investments in CDFIs, banks, and thrifts would leverage an estimated \$500 million in investments, loans, and financial services in the country's most distressed communities.

Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)

The House version of the bill would reduce funds available for the WIC program by \$25 million. The WIC program provides nutritious supplemental foods to low-income pregnant, post-partum, and breastfeeding women, and to infants and children up to their fifth birthday. The House's action would result in 600,000 fewer food packages for women, infants, and children. Jeopardizing the health and welfare of these mothers and children cannot be justified. The Administration commends the Senate for restoring funding for this important program and strongly urges the conferees to accept the Senate proposal.

School-to-Work

This innovative partnership, financed equally in the Departments of Education and Labor, provides seed money to States to create state-wide School-to-Work Opportunities systems. These systems will help youth acquire the knowledge, skills, abilities, and labor market information they need to make a smooth and effective transition from school to career-oriented work or further education or training. The House proposes a \$12.5 million rescission for each department -- a 10-percent reduction to the FY 1995 appropriation in each agency. The Senate rescission is \$2.5 million

for each department. The Administration prefers the Senate level and urges the conferees to support this important program, which will help youth obtain jobs and employers gain a responsible and skilled workforce.

#### Cutting Programs for the Environment

While an improvement over the House version of the bill, the proposed Senate rescission of \$0.8 billion in funds to help municipalities comply with Safe Drinking Water Act requirements would still seriously exacerbate local financing problems. Municipalities need significant resources to comply with existing regulations and additional billions to comply with future rules needed to prevent problems such as the cryptosporidium outbreak in Milwaukee in 1993 that killed 100 people and caused illness in another 400,000.

Most affected by this rescission would be the 27 million people who get their water from a system that has violated drinking water standards. If Congress were to fail to authorize the drinking water state revolving fund program, these funds could be used without further Congressional action to address the \$137 billion in wastewater construction needs.

Reductions are also proposed by the House and the Senate for the Department of Energy's (DOE's) solar, renewable energy, and conservation research programs. Such reductions would threaten our national effort to implement fully the Energy Policy Act of 1992 and the Climate Change Action Plan. Reduction to the DOE science budget also would adversely impact climate change, human genome, and neutron research. The additional reductions to the Environmental Management program would impede progress at several of the Department's cleanup sites.

#### FEMA Disaster Relief

The Administration continues to estimate a supplemental requirement of \$6.7 billion for FEMA disaster relief. Absent approval of this supplemental, FEMA estimates that under current operations, it will need to redirect funds already allocated to other disasters to meet more immediate requirements beginning in early summer.

Job Corps

The House version of the bill would rescind \$10 million from the Job Corps program; the Senate version, \$46 million. The Senate's action would halt expansion of a youth training program with a track record of improving the employment and earnings of poor youth. It would also eliminate funds to continue work on eight new Job Corps centers that were launched with previous years' appropriations. Work is underway on these eight centers, which would create 3,200 new training slots for about 4,700 severely disadvantaged youth each year. In addition, the Senate would eliminate funds to initiate four new Job Corps centers in FY 1995, which would boost capacity by another 1,600 slots. The Administration prefers the House level.

Job Training Partnership Act (JTPA) Youth Training Grants

The JTPA Title II-C program provides grants to States for training, education, and employment services designed to provide low-income youth with marketable skills leading to productive, unsubsidized employment. The Congress already has rescinded \$200 million from this program in P.L. 104-6 -- approximately one-third of the resources available for the 1995 program year, which begins in July. This would mean about 105,000 youth would not receive services. Both the House and Senate have proposed rescinding more than is contained in P.L. 104-6. Adequate funding for this program is essential to provide the Department of Labor the flexibility to work with States to re-examine the program's design and test new strategies to help youth succeed in the labor market. The Administration prefers the House level, which would reduce this program by an additional \$110 million, as opposed to the \$272 million reduction proposed by the Senate.

One-Stop Career Shopping

This initiative provides competitive grants to States to improve employment and training services by providing a common point of access to career and labor market information, occupational skill requirements, and other information about jobs and training. The House proposes rescinding \$12 million, or 10 percent of the 1995 appropriation; the Senate, \$20 million. These career centers are key to successful implementation of a new consolidated and integrated workforce development system serving the needs of job seekers and employers. The Administration prefers the House level.

### Housing Assistance

Both the House and the Senate versions of the bill would threaten the well-being of our Nation's most needy and vulnerable citizens and would threaten the stability of our Nation's most distressed communities. In particular, the draconian cuts targeted by the House towards programs of the Department of Housing and Urban Development would deny help to 63,000 needy, low-income households, including many homeless families. The House version of the bill could also prevent another 24,000 homeless families from moving to transitional or permanent housing during this fiscal year. Hundreds of communities would lose money that they have counted on for critical community needs such as housing rehabilitation and social services for the elderly. In addition, the House's rescission of all FY 1995 funding for the Federal Government's primary rural multi-family rental housing direct loan program (section 515) would put thousands of rural residents living in existing Federal multi-family projects at risk and jeopardize the Government's investment in these projects. Many of the Department of Agriculture's projects need to be rehabilitated and, without the FY 1995 funding, would be in danger of being closed.

### Housing Opportunities for People with AIDS (HOPWA)

The HOPWA program provides housing and other services for people with AIDS. Without such assistance, some of the most vulnerable people in our society would become homeless. The Administration is opposed to the House action that would rescind \$186 million from the HOPWA program, thus eliminating the entire amount appropriated for this program in FY 1995. We commend the Senate for restoring funding for this important program and urge the conferees to adopt the Senate position.

### Violent Crime and Drug Abuse Control

The Administration opposes both the House and the Senate's recommendation to rescind \$65 and \$29 million, respectively, for violent crime prevention and drug control initiatives. Within this overall reduction, the House would reduce by \$28 million and the Senate by \$17 million funding for Drug courts, which will provide drug treatment and real opportunities for rehabilitation for non-violent, first-time drug offenders. The Administration also opposes the House

action that would cut \$32 million from the Drug Elimination grants at the Department of Housing and Urban Development. The Administration prefers the overall Senate level of funding for these programs.

The Administration objects to a provision in the Senate version of the bill that would delete all grant funding for the Ounce of Prevention program. This program is vital to the Administration's efforts to coordinate crime prevention programs nation-wide. The Administration prefers the House level of funding for this program.

#### Veterans Medical Care and Construction

The Senate version of the bill would rescind \$100 million from the Department of Veterans Affairs for veterans medical care and construction. These cuts would eliminate \$20 million in new medical equipment for veterans health care, \$30 million for veterans health services, and \$50 million for expanding or improving veterans medical facilities. The Administration believes these cuts are unwise and unnecessary, and would harm the veterans who need their nation's help the most. The Administration prefers the House position.

#### Timber Sales

The Administration is opposed to a provision contained in both the House and Senate versions of the bill that would too broadly define "salvage timber sales" to include sales of primarily healthy trees, supersede the otherwise applicable environmental and land management statutes, and restrict citizens' access to the courts. The Departments of the Interior, Agriculture, and Commerce last month announced a comprehensive plan to accelerate timber salvage sales. In addition to the measures already underway at these agencies to accelerate timber salvage sales, the Administration stands ready to work with the Congress to find appropriate, productive solutions to this pressing national problem that would not result in a return to gridlock, as may well result from the bill's provisions.

In addition, the Administration is opposed to a provision contained in the Senate version of the bill that would overturn the existing environment and land management framework of the President's Forest Plan for the Pacific Northwest ("Option 9"). The carefully crafted balance in the Forest Plan allows for a

sustainable timber harvest as well as environmental protection. This Plan was key to the release of a court injunction on logging in the territory of the Northern Spotted Owl and represents a finely crafted compromise that took two years to achieve. The Administration believes that it can expedite Option 9 sales without setting aside the existing land management framework.

#### Corporation for Public Broadcasting

The Administration believes that the House's action to reduce funding for the Corporation for Public Broadcasting (CPB) by a total of 23 percent from FY 1995 to FY 1997 is excessive and shortsighted. The Administration is committed to providing equal access to educational opportunities, particularly for young children, regardless of income or geographic location. While the Administration does not support the Senate rescission, which freezes the program at the FY 1995 level, the Administration prefers it to the House action.

#### Occupational Safety and Health Administration (OSHA)

The House version of the bill would rescind \$19.6 million from the Occupational Safety and Health Administration. This is a 6.3 percent reduction in OSHA funding although, effectively, a 12.6 percent reduction since it comes so late in the fiscal year. The rescission would have a dramatic impact on OSHA's ability to fulfill its mission to protect workers and on the Administration's efforts to make the agency more effective. This rescission would hinder OSHA's compliance assistance programs and education and training initiatives, as well as enforcement, resulting in an estimated 6,300 additional preventable injuries. The Administration is pleased that the Senate version of the bill does not include this cut and prefers the Senate funding level.

#### Science and Technology

Our Nation's future economic health depends on strong public and private support for science and technology. The proposed rescission to many of the Administration's investments would jeopardize our ability to achieve sustained economic growth and competitiveness.

The Administration prefers the Senate version of the bill with respect to the funding level for the Manufacturing Extension Partnership Program at the National Institute of Standards and Technology (NIST) over the House version, which would reduce the number of new centers established from 36 to 10. This would result in reduced access to state-of-the-art manufacturing technology and techniques by U.S. manufacturers -- a key component of the U.S. economy.

The Administration objects to the House's proposed rescission of \$30 million for the Commerce Department's National Information Infrastructure Grants program. The Administration believes that this program provides substantial benefits by facilitating access to information products and services by all Americans. P.L. 104-6 rescinded \$15 million from this program. If the rescissions contained in the House version of the bill were adopted, the program would be cut by a total of 70 percent.

The Administration also opposes the \$16.5 million and \$19.5 million rescission of funds proposed by the House and Senate, respectively, for laboratory research at NIST. These rescissions would have a real impact on industry's ability to compete in both emerging and mature markets and would result in the diminished competitive posture of U.S. industry. NIST laboratories develop and deliver measurement techniques and services that provide a common language needed by industry in all stages of commerce.

The House's proposed rescission of \$16.7 million and the Senate's proposed rescission of \$12.5 million for the National Biological Service in the Department of the Interior would severely hamper the Service's ability to provide basic scientific information to the land managing bureaus within the Department, including programs in the Pacific Northwest. This rescission would force the Service to consider closing one or more of four major laboratory centers, and joint State projects underway in more than 30 States would be reduced.

The Senate has proposed rescinding \$42 million in funding for upgrades to the national transonic wind tunnel. These upgrades have been planned for many years and are critical to maintaining the performance of these tunnels. The wind tunnel complex has contributed to the development of almost every U.S.-developed military and civil aircraft. Failure to

modernize this facility will increase the delay in critical test data. These upgrades are needed now and are unrelated to the development of a new wind tunnel facility.

#### Social Security Administration (SSA) Automation Investment

The Senate version of the bill would reduce funding for SSA computer systems by \$88 million, thus eliminating all second-year funding for SSA's multi-year automation investment. This reduction would lead to deterioration in service by not allowing for the purchase of new computer equipment as existing equipment wears out and customer demands increase. The funds proposed for rescission are already programmed to support contract awards for quantities of computers supported by the Senate and the General Accounting Office.

The Administration notes the Senate's concern about the total number of computers SSA plans to acquire over a five-year period. Under the current SSA plan, the level of funding provided in FYs 1994 and 1995 would fund the installation of less than one-third of the total number of workstations planned. The Administration believes that the Senate's concern with out-year plans would be more appropriately addressed in relation to out-year funding.

#### Federal Buildings Fund

The Administration does not support the rescission of the full \$1.9 billion proposed by the Senate. Most of the projects proposed for rescission by the Senate were proposed in previous budgets. The Administration continues to support the requested funding levels for these construction and repairs and alterations projects. Rescission of funding for new construction projects may result in higher costs, if long-term needs must be met in leased space. In other cases, where leasing is not an option (i.e., courthouses and border stations), it may not be possible to meet Federal agency needs in the near term. Rescission of funds for modernization projects and other repairs and alterations could lead to the gradual deterioration of government-owned assets.

#### Department of Transportation

The Administration believes that the House proposal to eliminate all emergency relief funds is irresponsible, given the recent flooding in California and other requirements likely to arise this year. The Senate

proposes to rescind only \$50 million of emergency funds. The Administration also objects to the Senate proposal to eliminate \$50 million in contract authority for the congestion pricing pilot program. This may restrict the Department's ability to pursue important projects in FY 1996 and FY 1997 currently being developed. While opposing the rescission of Coast Guard Operating Expenses because it undermines the recent supplemental, the Administration notes that the Senate bill cuts a smaller amount. Finally, both the House and Senate versions of the bill include across-the-board reductions in operating costs for transportation programs. These reductions are in addition to the government-wide reductions in the Senate bill. It is unfair for the Department to be hit twice by such reductions. The transportation-specific provisions should be dropped.

#### Base Realignment and Closure

The Senate version of the bill would rescind \$104 million from the Base Realignment and Closure accounts. This action would slow local communities' productive reuse of base closure property by limiting funding for environmental restoration. It would also slow funding for construction of facilities at receiving bases, which could delay the move of some military units from closing bases to their new locations. Making property available for economic redevelopment is a key part of the Administration's Five Point Plan for assisting base closure communities. The Administration prefers the House level of funding.

#### NATO Infrastructure

The Senate version of the bill would rescind \$69 million from the NATO Infrastructure account. This action could undermine existing NATO Infrastructure agreements and treaty commitments and frustrate U.S. efforts to increase the burdensharing contributions of our allies. All of the FY 1995 appropriations for NATO Infrastructure have been obligated or committed for specific NATO construction projects, which would have to be terminated -- with potential termination penalties -- if the rescission were enacted. Furthermore, such a rescission would set a precedent for other NATO nations to withdraw their support from the NATO Infrastructure budget. The Administration prefers the House level of funding.

International Programs

With regard to P.L. 480 food programs, the Administration strongly supports the Senate action rescinding the \$142.5 million that the Administration proposed for rescission. This rescission is preferable to other rescissions in international affairs programs in the bill.

The Administration prefers the Senate position regarding the funding level for foreign operations programs. The Senate's unallocated reduction of \$125 million would give the Administration greater flexibility, and would do less damage to foreign policy priorities than the House's targeted rescissions totaling \$192 million. For international programs under the jurisdiction of the Commerce, Justice, State, and the Judiciary Subcommittee, the Administration prefers the overall House position.

The Administration opposes the Senate proposal to rescind \$27.7 million for international broadcasting activities. In accordance with the Administration's international broadcasting consolidation plan and the International Broadcasting Act of 1994, Radio Free Europe/Radio Liberty (RFE/RL) and USIA's Voice of America are in the process of significant downsizing. To accomplish the reductions and relocation of RFE/RL to Prague from Munich, over \$100 million was provided in FY 1995 specifically for the one-time costs of downsizing and the move. The proposed rescission, along with the Senate's failure to provide \$7.3 million that is needed to offset exchange rate losses, would seriously hamper implementation of the consolidation plan passed by Congress, which is estimated to save over \$400 million by the end of FY 1997. The Administration prefers the House's position.

Both the House and the Senate propose to rescind \$14.6 million from the State Department's Contributions to International Peacekeeping Activities, which support peacekeeping activities around the world. This action runs counter to U.S. national security and foreign policy interests. The U.S. strives to lead the international community in promoting peaceful resolution of regional conflicts. This rescission would undermine these efforts, weaken U.S. leadership, and exacerbate the arrearage problem. In FY 1995, the U.S. is in arrears (expected to total over \$650 million) on its UN treaty obligations to pay its share of peacekeeping activities. The conferees are urged to restore these funds.

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H.L.C.

*Bill Goodling*  
 (Original signature of Member)

104TH CONGRESS  
 1ST SESSION

**H. R.** \_\_\_\_\_

✓ review and  
 present  
 piece & rational

IN THE HOUSE OF REPRESENTATIVES

Mr. GOODLING introduced the following bill; which was referred to the  
 Committee on \_\_\_\_\_

✓ goals  
 OTC  
 ✓ assessments  
 ✓ evaluation

**A BILL**

Page 24  
 ✓ unconditional  
 ✓ construction

To amend the Goals 2000: Educate America Act to eliminate  
 the National Education Standards and Improvement  
 Council, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ELIMINATION OF THE NATIONAL EDUCATION**

4 **STANDARDS AND IMPROVEMENT COUNCIL.**

5 (a) **REPEALS.**—Subsection (b) of section 241, section  
 6 316, and Part B of title II of the Goals 2000: Educate  
 7 America Act (20 U.S.C. 5841 et seq.) are repealed.

8 (b) **AMENDMENTS TO GOALS 2000: EDUCATE AMER-**  
 9 **ICA ACT.**—

1 (1) Section 203(a) of the Goals 2000: Educate  
2 America Act (20 U.S.C. 5823(a)) is amended by  
3 striking paragraphs (3) and (4) and by redesignat-  
4 ing paragraphs (5) and (6) as paragraphs (3) and  
5 (4), respectively.

6 (2) Section 308(b)(2)(A) of such Act (20  
7 U.S.C. 5888(b)(2)(A)) is amended by striking "in-  
8 cluding—" and all that follows through the end of  
9 clause (ii) and inserting "including through consor-  
10 tia of States".

11 (3) Section 314(a)(6) of such Act (20 U.S.C.  
12 5894(a)(6)) is amended by striking ", if—" and all  
13 that follows through "(B)" and inserting "if".

14 (4) Section 315(b) of such Act (20 U.S.C.  
15 5895) is amended—

16 (A) by striking paragraph (2);

17 (B) by redesignating paragraphs (3)  
18 through (5) as paragraphs (2) through (4), re-  
19 spectively.

20 (5) Section 503 of such Act (20 U.S.C. 5933)  
21 is amended—

22 (A) in subsection (b)—

23 (i) in paragraph (1)—

page 13  
review  
comment

## 3

1 (I) in the matter preceding sub-  
2 paragraph (A), by striking "28" and  
3 inserting "27";

4 (II) by striking subparagraph  
5 (D); and

6 (III) by redesignating subpara-  
7 graphs (E) through (G) as subpara-  
8 graphs (D) through (F), respectively;

9 (ii) in paragraphs (2), (3), and (5), by  
10 striking "subparagraphs (E), (F), and  
11 (G)" each place it appears and inserting  
12 "subparagraphs (D), (E), and (F)";

13 (iii) in paragraph (2), by striking  
14 "subparagraph (G)" and inserting "sub-  
15 paragraph (F)";

16 (iv) in paragraph (4), by striking  
17 "(C), and (D)" and inserting "and (C)";  
18 and

19 (v) in the matter preceding subpara-  
20 graph (A) of paragraph (5), by striking  
21 "subparagraph (E), (F), or (G)" and in-  
22 serting "subparagraph (D), (E), or (F)";  
23 and

24 (B) in subsection (c)—

1 (i) in paragraph (1)(B), by striking  
2 “subparagraph (E)” and inserting “sub-  
3 paragraph (D)”; and

4 (ii) in paragraph (2), by striking  
5 “subparagraphs (E), (F), and (G)” and in-  
6 serting “subparagraphs (D), (E), and  
7 (F)”.

8 (6) Section 504 of such Act (20 U.S.C. 5934)  
9 is amended—

10 (A) by striking subsection (f); and

11 (B) by redesignating subsection (g) as sub-  
12 section (f).

13 (c) AMENDMENT TO ELEMENTARY AND SECONDARY  
14 EDUCATION ACT OF 1965.—Section 14701(b)(1)(B)(v) of  
15 such the Elementary and Secondary Education Act of  
16 1965 (20 U.S.C. 8941(b)(1)(B)(v)) is amended—

17 (1) by inserting “and” before “the National  
18 Education Goals Panel”; and

19 (2) by striking “, and the National Education  
20 Statistics and Improvement Council”.

21 (d) AMENDMENT TO GENERAL EDUCATION PROVI-  
22 SIONS ACT.—Section 428 of the General Education Provi-  
23 sions Act (20 U.S.C. 1228b), as amended by section 237  
24 of the Improving America's Schools Act of 1994 (Public

1 Law 103-382), is amended by striking "the National Edu-  
2 cation Standards and Improvement Council,".

3 **SEC. 2. TECHNICAL AND CONFORMING AMENDMENTS.**

4 The table of contents for the Goals 2000: Educate  
5 America Act is amended, in the items relating to title II,  
6 by striking the items relating to part B of such title.

F:\M4\GOODLI\GOODLI.045

H.L.C.

*Bill Goodling*  
 (Original signature of Member)

104TH CONGRESS  
 1ST SESSION

**H. R. \_\_\_\_\_**

✓ review and  
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IN THE HOUSE OF REPRESENTATIVES

Mr. GOODLING introduced the following bill; which was referred to the  
 Committee on \_\_\_\_\_

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 ✓ assessments  
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**A BILL**

Page 24  
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 ✓ constructive

To amend the Goals 2000: Educate America Act to eliminate  
 the National Education Standards and Improvement  
 Council, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 **SECTION 1. ELIMINATION OF THE NATIONAL EDUCATION**
- 4 **STANDARDS AND IMPROVEMENT COUNCIL.**
- 5 (a) REPEALS.—Subsection (b) of section 241, section
- 6 316, and Part B of title II of the Goals 2000: Educate
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- 8 (b) AMENDMENTS TO GOALS 2000: EDUCATE AMER-
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9 clause (ii) and inserting "including through consor-  
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11 (3) Section 314(a)(6) of such Act (20 U.S.C.  
12 5894(a)(6)) is amended by striking ", if—" and all  
13 that follows through "(B)" and inserting "if".

14 (4) Section 315(b) of such Act (20 U.S.C.  
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17 "(C), and (D)" and inserting "and (C)";  
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20 graph (A) of paragraph (5), by striking  
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22 serting "subparagraph (D), (E), or (F)";  
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24 (B) in subsection (c)—

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5 “subparagraphs (E), (F), and (G)” and in-  
6 serting “subparagraphs (D), (E), and  
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8 (6) Section 504 of such Act (20 U.S.C. 5934)  
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3 **SEC. 2. TECHNICAL AND CONFORMING AMENDMENTS.**

4       The table of contents for the Goals 2000: Educate  
5 America Act is amended, in the items relating to title II,  
6 by striking the items relating to part B of such title.



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE GENERAL COUNSEL

URGENT

Memorandum:

May 11, 1995

TO: Legislative Services Officers  
Attn: Mr. Cohen, OS  
Ms. Salus, ODS  
Mr. Wooten, OESE  
Ms. Rairdin, OLCA  
Mr. Hazzard, OUS/BS  
attn: Mr. Corwin

Office of the General Counsel  
Attn: Mr. Rosenfelt

FROM: Randy Hansen, DLC/OGC (FOB 10B RM 5451, FAX 401-5391,  
TEL 401-6265)

SUBJECT: Goodling amendment to eliminate the National Education  
Standards and Improvement Council

Please give me your comments by 2 PM TOMORROW, MAY 12, 1995.  
Thank you.

Attachment

cc: Mr. Smith, OUS  
Mr. Petersen, OS  
Ms. Dozier, OS  
Ms. Winston  
Ms. Studley  
Mr. Kristy  
Mr. Riddle  
Ms. Heindel  
Mr. Knoeppel  
Ms. Davis

URGENT

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
Washington, D.C. 20503-0001

LRM NO: 1277

FILE NO: 837

**SPECIAL**

6/10/95

LEGISLATIVE REFERRAL MEMORANDUM

Total Page(s): 8

TO: Legislative Liaison Officer - See Distribution below:  
FROM: Janet FORSGREN (for) *Janet R. Forsgren*

Assistant Director for Legislative Reference

OMB CONTACT: Connie BOWERS 395-3803  
Legislative Assistant's line (for simple responses): 395-7362

SUBJECT: Committee Markup RE: HR1045, Elimination of National Education Standards and Improvement Council

**DEADLINE: Monday, May 15, 1995**

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President.

Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.

COMMENTS: On May 10th, the House Economic and Educational Opportunities Committee adopted the attached Amendment in the Nature of a Substitute. Please provide comments and a suggested Administration position in preparation for House Floor action.

**DISTRIBUTION LIST:**

**AGENCIES:**

207-EDUCATION - John Kristy - (202) 401-8313

429-National Economic Council - Sonyla Matthews - (202) 456-2174

**EOP:**

Bill Galston

Barry White

Lisa Fairhall

Mary Cassell

Dan Chenok

Lydia Muniz

Doug Steiger

Janet Forsgren

Josie Dade

H. EEO adopted 5/10/95

2/24  
144

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 1045

OFFERED BY MR. GOODLING

Strike all after the enacting clause and insert the  
following:

1 SECTION. 1. ELIMINATION OF THE NATIONAL EDUCATION  
2 STANDARDS AND IMPROVEMENT COUNCIL.

3 (a) REPEALS.—Subsection (b) of section 241, sec-  
4 tions 211 through 218 of Part B of title II, and section  
5 316 of the Goals 2000: Educate America Act (20 U.S.C.  
6 5841 et seq.) are repealed.

7 (b) AMENDMENTS TO GOALS 2000: EDUCATE AMER-  
8 ICA ACT.—

9 (1) Section 201(3) of the Goals 2000: Educate  
10 America Act (20 U.S.C. 5812(3)) is amended by  
11 striking all that follows after “opportunity-to-learn  
12 standards” and inserting a period.

13 (2) Section 203(a) of such Act (20 U.S.C.  
14 5823(a)) is amended by striking paragraphs (3) and  
15 (4) and by redesignating paragraphs (5) and (6) as  
16 paragraphs (3) and (4), respectively.

17 (3) Section 204(a)(2) of such Act (20 U.S.C.  
18 5824) is amended by striking “described in section  
19 213(f)”.

May 9, 1995

1 (4) Section 219 of such Act (20 U.S.C. 5849)  
2 is amended—

3 (A) in subsection (a)(1) by striking “con-  
4 sistent with the provisions of section 213(c),”;  
5 and

6 (B) by striking subsection (b) and insert-  
7 ing the following:

8 (b) APPLICATIONS.—Each consortium that desires to  
9 receive a grant under this subsection shall submit an ap-  
10 plication to the Secretary at such time, in such manner,  
11 and containing such information and assurances as the  
12 Secretary may require.

13 (5) Section 220(a) of such Act (20 U.S.C.  
14 5850(a)) is amended by striking “to be used” and  
15 all that follows through “by the Council”.

16 (6) Section 221(a) of such Act (20 U.S.C.  
17 5851(a)) is amended—

18 (A) in paragraph (1)—

19 (i) subparagraph (A), by striking  
20 “and the Council”; and

21 (ii) striking subparagraph (B) and  
22 (C) and redesignating subparagraph (D)  
23 as subparagraph (B); and

24 (B) in paragraph (2), by striking “and the  
25 Council, as appropriate,”.

1           (7) Section 308(b)(2)(A) of such Act (20  
2       U.S.C. 5888(b)(2)(A)) is amended by striking " in-  
3       cluding—" and all that follows through the end of  
4       clause (ii) and inserting "including through consor-  
5       tia of States".

6           (8) Section 314(a)(6) of such Act (20 U.S.C.  
7       5894(a)(6)) is amended by striking ", if—" and all  
8       that follows through "(B)" and inserting "if".

9           (9) Section 315 of such Act (20 U.S.C. 5895)  
10       is amended—

11           (A) in subsection (b)—

12                (ii) paragraph (1)(A), by striking  
13                "paragraph (4) of this subsection" and in-  
14                serting "paragraph (3)";

15                (ii) by striking paragraph (2);

16                (iii) by redesignating paragraphs (3)  
17                through (5) as paragraphs (2) through (4),  
18                respectively;

19                (iv) in subparagraph (B) of paragraph  
20                (3) (as redesignated), by striking "para-  
21                graph (5)," and inserting "paragraph  
22                (4),"; and

23                (v) in paragraph (4) (as redesi-  
24                gnated), by striking "paragraph (4)" each

1 place it appears and inserting "paragraph  
2 (3)"; and

3 ((B) in subsection (c)(1)(A) by striking  
4 "paragraph (4)" and inserting "paragraph  
5 (3)".

6 (10) Section 503 of such Act (20 U.S.C. 5933)  
7 is amended—

8 (A) in subsection (b)—

9 (i) in paragraph (1)—

10 (I) in the matter preceding sub-  
11 paragraph (A), by striking "28" and  
12 inserting "27";

13 (II) by striking subparagraph  
14 (D); and

15 (III) by redesignating subpara-  
16 graphs (E) through (G) as subpara-  
17 graphs (D) through (F), respectively;

18 (ii) in paragraphs (2), (3), and (5), by  
19 striking "subparagraphs (E), (F), and  
20 (G)" each place it appears and inserting  
21 "subparagraphs (D), (E), and (F)";

22 (iii) in paragraph (2), by striking  
23 "subparagraph (G)" and inserting "sub-  
24 paragraph (F)";

1 (iv) in paragraph (4), by striking  
2 "(C), and (D)" and inserting "and (C)";  
3 and

4 (v) in the matter preceding subpara-  
5 graph (A) of paragraph (5), by striking  
6 "subparagraph (E), (F), or (G)" and in-  
7 serting "subparagraph (D), (E), or (F)";  
8 and

9 (B) in subsection (c)—

10 (i) in paragraph (1)(B), by striking  
11 "subparagraph (E)" and inserting "sub-  
12 paragraph (D)"; and

13 (ii) in paragraph (2), by striking  
14 "subparagraphs (E), (F), and (G)" and in-  
15 serting "subparagraphs (D), (E), and  
16 (F)".

17 (11) Section 504 of such Act (20 U.S.C. 5934)  
18 is amended—

19 (A) by striking subsection (f); and

20 (B) by redesignating subsection (g) as sub-  
21 section (f).

22 (c) AMENDMENT TO ELEMENTARY AND SECONDARY  
23 EDUCATION ACT OF 1965.—Section 14701(b)(1)(B)(v) of  
24 such the Elementary and Secondary Education Act of  
25 1965 (20 U.S.C. 8941(b)(1)(B)(v)) is amended—

May 9, 1995

1 (1) by inserting "and" before "the National  
2 Education Goals Panel"; and

3 (2) by striking ", and the National Education  
4 Statistics and Improvement Council".

5 (d) AMENDMENT TO GENERAL EDUCATION PROVI-  
6 SIONS ACT.—Section 428 of the General Education Provi-  
7 sions Act (20 U.S.C. 1228b), as amended by section 237  
8 of the Improving America's Schools Act of 1994 (Public  
9 Law 103-382), is amended by striking "the National Edu-  
10 cation Standards and Improvement Council,".

11 SEC. 2. TECHNICAL AND CONFORMING AMENDMENTS.

12 The table of contents for the Goals 2000: Educate  
13 America Act is amended, in the items relating to title II,  
14 by striking the items relating to sections 211 through 218  
15 of part B of such title.

May 9, 1995

F:\M4\GOODLI\GOODLI.045

H.L.C.

*Bill Goodling*  
 (Original signature of Member)

104TH CONGRESS  
 1ST SESSION

**H. R. \_\_\_\_\_**

IN THE HOUSE OF REPRESENTATIVES

Mr. GOODLING introduced the following bill, which was referred to the  
 Committee on \_\_\_\_\_

**A BILL**

To amend the Goals 2000: Educate America Act to eliminate  
 the National Education Standards and Improvement  
 Council, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ELIMINATION OF THE NATIONAL EDUCATION**

4 **STANDARDS AND IMPROVEMENT COUNCIL.**

5 (a) REPEALS.—Subsection (b) of section 241, section  
 6 316, and Part B of title II of the Goals 2000: Educate  
 7 America Act (20 U.S.C. 5841 et seq.) are repealed.

8 (b) AMENDMENTS TO GOALS 2000: EDUCATE AMER-  
 9 ICA ACT.—

✓ review and  
 present  
 state; rational

✓ goals  
 OTC  
 ✓ assessments  
 ✓ evaluation

Page 24  
 ✓ unconditional  
 ✓ constructive

1 (1) Section 203(a) of the Goals 2000: Educate  
2 America Act (20 U.S.C. 5823(a)) is amended by  
3 striking paragraphs (3) and (4) and by redesignat-  
4 ing paragraphs (5) and (6) as paragraphs (3) and  
5 (4), respectively.

6 (2) Section 308(b)(2)(A) of such Act (20  
7 U.S.C. 5888(b)(2)(A)) is amended by striking "in-  
8 cluding—" and all that follows through the end of  
9 clause (ii) and inserting "including through consor-  
10 tia of States".

11 (3) Section 314(a)(6) of such Act (20 U.S.C.  
12 5894(a)(6)) is amended by striking ", if—" and all  
13 that follows through "(B)" and inserting "if".

14 (4) Section 315(b) of such Act (20 U.S.C.  
15 5895) is amended—

16 (A) by striking paragraph (2);

17 (B) by redesignating paragraphs (3)  
18 through (5) as paragraphs (2) through (4), re-  
19 spectively.

20 (5) Section 503 of such Act (20 U.S.C. 5933)  
21 is amended—

22 (A) in subsection (b)—

23 (i) in paragraph (1)—

page 13  
review  
comment

1 (I) in the matter preceding sub-  
2 paragraph (A), by striking "28" and  
3 inserting "27";

4 (II) by striking subparagraph  
5 (D); and

6 (III) by redesignating subpara-  
7 graphs (E) through (G) as subpara-  
8 graphs (D) through (F), respectively;

9 (ii) in paragraphs (2), (3), and (5), by  
10 striking "subparagraphs (E), (F), and  
11 (G)" each place it appears and inserting  
12 "subparagraphs (D), (E), and (F)";

13 (iii) in paragraph (2), by striking  
14 "subparagraph (G)" and inserting "sub-  
15 paragraph (F)";

16 (iv) in paragraph (4), by striking  
17 "(C), and (D)" and inserting "and (C)";  
18 and

19 (v) in the matter preceding subpara-  
20 graph (A) of paragraph (5), by striking  
21 "subparagraph (E), (F), or (G)" and in-  
22 serting "subparagraph (D), (E), or (F)";  
23 and

24 (B) in subsection (c)—

1 (i) in paragraph (1)(B), by striking  
2 “subparagraph (E)” and inserting “sub-  
3 paragraph (D)”; and

4 (ii) in paragraph (2), by striking  
5 “subparagraphs (E), (F), and (G)” and in-  
6 serting “subparagraphs (D), (E), and  
7 (F)”.

8 (6) Section 504 of such Act (20 U.S.C. 5934)  
9 is amended—

10 (A) by striking subsection (f); and

11 (B) by redesignating subsection (g) as sub-  
12 section (f).

13 (c) AMENDMENT TO ELEMENTARY AND SECONDARY  
14 EDUCATION ACT OF 1965.—Section 14701(b)(1)(B)(v) of  
15 such the Elementary and Secondary Education Act of  
16 1965 (20 U.S.C. 8941(b)(1)(B)(v)) is amended—

17 (1) by inserting “and” before “the National  
18 Education Goals Panel”; and

19 (2) by striking “, and the National Education  
20 Statistics and Improvement Council”.

21 (d) AMENDMENT TO GENERAL EDUCATION PROVI-  
22 SIONS ACT.—Section 428 of the General Education Provi-  
23 sions Act (20 U.S.C. 1228b), as amended by section 237  
24 of the Improving America's Schools Act of 1994 (Public

1 Law 103-382), is amended by striking "the National Edu-  
2 cation Standards and Improvement Council,".

3 **SEC. 2. TECHNICAL AND CONFORMING AMENDMENTS.**

4 The table of contents for the Goals 2000: Educate  
5 America Act is amended, in the items relating to title II,  
6 by striking the items relating to part B of such title.