

The Education Report

A weekly report of public policy issues in American Education from

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Department of Education Releases Guidance on Unsafe Schools

The August Recess is upon us and all appears quiet on Capitol Hill as the heat is keeping everyone indoors. However, “quiet” and “indoors” does not mean inactive. Staff continue working on troublesome legislation that they hope to complete prior to the adjournment of the 107th Congress in October. That list includes several Welfare Reform proposals, the Office of Educational Research and Improvement, the reauthorization of the National Science Foundation, FED-UP (higher ed technical amendments) and the reauthorization of the Corporation for National and Community Service. The Senate HELP Committee has scheduled a mark-up for September 4th that is a goal for many of these continuing negotiations.

In spite of the hard work of the authorizing committees, the real focus of the Congress for the month of September and perhaps longer, will be sending 13 appropriations bills to the President for his signature. It will be no small accomplishment, given the level of partisan tension surrounding the budget. You will recall that the President sent a budget proposal to the Congress in February that essentially froze all domestic spending and provided substantial increases for defense. So far, the Congress has shown a willingness to provide even more defense funding, while continuing to argue about appropriate domestic spending priorities.

Just prior to the August recess the Senate Appropriations Committee passed a bill to fund the Departments of Labor, Health and Human Services and Education that added \$6 billion above the President’s recommended levels to be divided among those 3 agencies. For education, the Senate increases funding by 9% overall—well above the 2% increase the Administration requested, but still far below what education advocates have come to hope for or expect. Last year’s increase for the agency was 18%.

Throughout the month of August, education groups will be encouraging their grassroots organizations throughout the nation to tell Members of Congress that education needs and deserves a larger investment. Senator Edward Kennedy (D-MA) plans to offer an amendment when the LHHS and ED bill reaches the Senate floor that would increase spending on education by \$7 billion. Other Senators have more modest plans to increase funds for programs such as after school, math and science, and education research and development. It is unclear whether these amendments will be in order—meaning they would require a simple majority to pass and no offsetting cuts; out of order-- meaning for

every dollar added, a dollar would have to be taken away; or by a super majority—meaning 60 votes would be required for passage.

In the House of Representatives the situation is even more uncertain. With a republican majority it is not surprising that the leadership wants to please the President and limit domestic spending to the levels he requested. The public, however, has made it clear through countless polls that education is just as high a priority as defense and homeland security. With an election just a few months away, Members are hesitant to vote against popular programs. So far, the leadership appears to have the upper hand and appropriators have been told to bring a bill reflecting the President's request for Labor, Health and Human Services and Education to the House floor for consideration early in September. Again, education groups are working hard to convince their Representatives that 2% is not enough of an increase, given the huge expectations and demands of the No Child Left Behind legislation and general concern about the poor performance of local public schools.

What is likely to be the outcome of all this partisanship? Again, the looming election probably holds the key. Republicans and Democrats alike are hopeful that their ranks will be strengthened in November. Stronger majorities mean a bit less of a struggle for one side or the other to prevail during a legislative debate. For that reason some Members on both sides of the aisle support passing a continuing resolution that would freeze spending at the FY 2002 level. After the election results are in, a lame duck session would be convened to finish work on the actual spending levels for FY 2003. Depending on your point of view about the election prospects you either love or hate this proposal. I think most education advocates would prefer to take their chances on this Congress getting their work done and letting the voters decide if they support or reject the results.

107th CONGRESS, 2nd SESSION

TENTATIVE SENATE CALENDAR 2002/ NON-LEGISLATIVE PERIODS

Tom Daschle, Majority Leader

August 5 - September 2 **Senate not in session (August Recess)**

September 2 **Labor Day**

September 3 (Tues.) **Senate reconvenes**

September 16 (Mon.) **Yom Kippur (NO VOTES)**

October 4 **Target adjournment**