UNFUNDED MANDATES/Anti-American History Standards

SUBJECT: **Unfunded Mandate Reform Act of 1995 . . . S. 1. Dole modified perfecting amendment No. 139 to the Gorton perfecting amendment No. 31 to the language proposed to be stricken by the committee amendment beginning on page 25, line 11.**

ACTION: AMENDMENT AGREED TO, 99-1

SYNOPSIS: Pertinent votes on this legislation include Nos. 15-22, 24-41, 43-45, and 47-61.

As reported by the Governmental Affairs Committee and the Budget Committee, S. 1, the Unfunded Mandate Reform Act of 1995, will create 2 majority (51-vote) points of order in the Senate. The first will lie against the consideration of a bill or joint resolution reported by an authorizing committee if it contains mandates and if Congressional Budget Office (CBO) cost estimates on those mandates are unavailable. The second point of order will lie against the consideration of a bill, joint resolution, motion, amendment, or conference report that will cause the total cost of unfunded intergovernmental mandates in the legislation to exceed $50 million.

The committee amendment beginning on page 25, line 11, would strike the provision that would give the Governmental Affairs Committee in the Senate, and the Committee on Government Reform and Oversight in the House, the authority to make the final determination on whether proposed legislation contains a Federal mandate. It would also strike the provision providing that the levels of Federal mandates for a fiscal year will be determined based on the estimates of the respective budget committees. (The Budget Committee, which considered the bill sequentially in accordance with Budget Act requirements, struck these provisions with this one amendment).

The Gorton amendment to the language proposed to be stricken by the committee amendment would bar the adoption of history standards proposed by the National Center for History in the Schools as the history standards that are required to be adopted by the Goals 2000 legislation of last Congress. More specifically, it would bar the approval and certification of any voluntary national content standards, voluntary national student performance standards, or criteria for the certification of such content and student performance standards, on the subject of world and United States history, developed prior to the date of enactment of this Act. It

(See other side)

YEAS (99)				NAYS (1)		NOT VOTING (0)	
Republican (53 or 100%)		Democrats (46 or 98%)		Republicans (0 or 0%)	Democrats (1 or 2%)	Republicans (0)	Democrats (0)
Abraham	Hutchison	Akaka	Hollings		Johnston		
Ashcroft	Inhofe	Baucus	Inouye				
Bennett	Jeffords	Biden	Kennedy				
Bond	Kassebaum	Bingaman	Kerrey				
Brown	Kempthorne	Boxer	Kerry				
Burns	Kyl	Bradley	Kohl				
Chafee	Lott	Breaux	Lautenberg				
Coats	Lugar	Bryan	Leahy				
Cochran	Mack	Bumpers	Levin				
Cohen	McCain	Byrd	Lieberman				
Coverdell	McConnell	Campbell	Mikulski				
Craig	Murkowski	Conrad	Moseley-Braun				
D'Amato	Nickles	Daschle	Moynihan				
DeWine	Packwood	Dodd	Murray				
Dole	Pressler	Dorgan	Nunn				
Domenici	Roth	Exon	Pell				
Faircloth	Santorum	Feingold	Pryor				
Frist	Shelby	Feinstein	Reid				
Gorton	Simpson	Ford	Robb				
Gramm	Smith	Glenn	Rockefeller				
Grams	Snowe	Graham	Sarbanes				
Grassley	Specter	Harkin	Simon				
Gregg	Stevens	Heflin	Wellstone				
Hatch	Thomas						
Hatfield	Thompson						
Helms	Thurmond						
	Warner						

EXPLANATION OF ABSENCE:
1—Official Buisiness
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

would also prohibit the award of Federal funds to or the expenditure of Federal funds by the National Center for History in the Schools for the development of voluntary national content standards, voluntary national student performance standards, or criteria for the certification of such content and student performance standards, on the subject of history. Finally, the amendment would express the sense of the Senate: that Goals 2000 history standards should not be based on standards developed by the National Center for History in the Schools; and that any recipient of funds for the development of such standards should have a decent respect for the contributions of western civilization and United States history, ideas, and institutions, to the increase of freedom and prosperity around the world.

The Dole modified perfecting second-degree amendment to the Gorton amendment would strike the substance of the Gorton amendment and would insert language to express the sense of the Senate: that Goals 2000 history standards that were developed before February 1, 1995 should not be approved or certified; that Goals 2000 history standards should not be based on standards developed primarily by the National Center for History in the Schools prior to February 1, 1995; and that any recipient of funds for the development of Goals 2000 history standards should have a decent respect for the contributions of western civilization, and United States history, ideas, and institutions, to the increase of freedom and prosperity around the world.

Those favoring the Dole amendment contended:

Argument 1:

We support the development of national voluntary standards to upgrade the quality of education in this country. The Goals 2000 legislation that we passed last Congress appropriately required the development of such standards. The quality of education in America has been degrading for years, and we agree that the future of America hinges on its ability to reverse this decline. However, we strenuously oppose the "history" standards that have been prepared by UCLA's National Center for History in the Schools (at taxpayer expense) to serve as the standards required by the Goals 2000 bill. We have no intention of ever allowing the Center's 300-page, distorted, anti-American, anti-Western screed to gain official endorsement as a guide for teaching school children across America.

The Senate must go on record as being totally opposed to these proposed standards. They are absolutely indefensible. They reflect a total lack of understanding of the forces, key events, and key individuals who have shaped American and world history. The following few examples of some of the more glaring omissions in this 300-page compendium should help illustrate our point: George Washington is mentioned only once, without noting that he was our first President; the Constitution does not appear even once in the 31 core standards; important historical issues, such as the development of the role of Congress in our Federal Government, are not discussed; Daniel Webster, Paul Revere, Robert E. Lee, Thomas Edison, Alexander Graham Bell, the Wright brothers, and Albert Einstein do not appear at any point in this 300-page tome (the only reference to science in the standards is as an activity from which women have been excluded); the only mention of the Federalist papers is a brief referral to Federalist No. 84; and the Cold War merits one sentence: "The swordplay of the Soviet Union and the United States rightfully claims attention because it led to the Korean and Vietnam wars as well as the Berlin Airlift, Cuban Missile Crisis, and American interventions in many parts of the world" (this description does not mention Soviet interventions, and it entirely misses the ideological conflict between freedom and totalitarianism).

Leaving out the key elements of American and world history left a lot of room in this 300-page guideline for the Center to fill up. It used the space to propagandize for a false, multicultural, politically correct view of history. Students are told to study the views of certain advocates of the welfare state, but the views of critics of big government, such as Thomas Sowell or Milton Friedman, are never noted; achievements of non-Western civilizations such as the Aztecs are glorified without mentioning less polite facts, such as the Aztec practice of human sacrifice; 19th and 20th century immigrants are referred to as "intrusive European Migrants;" students are asked to assess the accomplishments and costs of the Great Leap Forward (implying that there may be "accomplishments" that justified this tragedy which resulted in the murder and starvation of 30 million innocent Chinese people); extensive and repetitive analyses are made of "Western imperialism" and of Western ethnocentricism; slavery is discussed only as a Western phenomena, without admitting that it has existed for millennia in the non-West and still is rampant in Eastern and African despotisms; and students are encouraged to watch "Roseanne," "the Simpsons," and similar television shows to learn American values.

Surely better advice on how to teach history is possible. When we approved the development of national voluntary history standards, we were not hoping for the development of bilious, ignorant standards. Rather, we hoped to develop standards that would end American students' appalling level of ignorance about American and world history. That level of ignorance is absolutely astounding. One recent study found that 43 percent of high school seniors cannot place World War I between 1900 and 1950; more than two-thirds do not know within 50 years when the Civil War took place; and 60 percent have no idea why the Federalist papers were written.

Not one Senator has dared to stand in defense of these offensive standards. However, some Senators have suggested that the Goals 2000 panel was formed to rule on proposed standards, and we should therefore let it rule--they say it would be inappropriate for the Senate to tell the panel what it can or cannot approve. The other argument that has been made in defense of the Center's anti-American history guidelines is that they are only a "rough draft" that will be improved. On the second point, nothing in the way

the Center has issued or promoted its book containing these guidelines indicates that it sees it as anything but a finished product. It is selling copies at $18 per book, and has so far littered America with 10,000 copies. In some places, the book is already in use. Thus, the claim that these guidelines were in any way intended to be a first draft are categorically false. On the first point we simply disagree. Senators were elected to make decisions on controversial issues, and no one can deny that these proposed history standards have created a firestorm of controversy. Ducking the issue by saying we ceded authority to decide it last year to a Federal regulatory panel would be an abdication of our responsibility. Even if the panel then totally reject the proposed standards the Senate would still have failed to protect the children of America, because the standards would still carry the distinction of being the only national history standards ever developed for the Federal Government. Our duty, therefore, is to repudiate these standards in no uncertain terms. Still, in deference to our colleagues who object to a flat prohibition on the approval of the Center's history standards, and in order to obtain a more lopsided vote, we have agreed to support the modifications in the Dole amendment. With these modifications, the amendment will not prohibit the approval or certification of these standards, but will instead merely express the sense of the Senate against their approval and certification.

Abraham Lincoln, on the eve of the Civil War (which took place sometime between 1811 and 1915, as nearly one out of three high school seniors knows) wrote: "Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battlefield and patriot grave, to every living heart and hearthstone, all over this broad land, will yet swell the chorus of the union, when again touched, as surely they will be, by the better angels of our nature." The Center's proposed guidelines will further fray rather than repair those mystic chords of memory if they are not firmly repudiated. We urge Senators, therefore, to join us in passing this amendment, to reject these standards and thus limit the damage that they may cause.

Argument 2:

The issue is broader than the content of the particular history standards that have been developed. History is not a "hard science"--it is imprecise by nature. Any national standards developed in this area will have subjective biases. Some Senators may feel that it does not matter that such biases will be present because the standards that will be developed for the Goals 2000 legislation will be "voluntary." However, we submit that the distinction between "voluntary" and "mandatory" will quickly fade because the very Federal bureaucrats who will use these voluntary standards as their guide will be responsible for approving or disapproving State standards and State requests for funding. We are convinced that any voluntary standards that are adopted will quickly become de facto standards that States will comply with rather than risk losing educational funding. In our opinion, America is a diverse nation with diverse educational needs that are best responded to at the local level. History, which reflects subjective values, should reflect the subjective values of local communities. Any Federal standards in this area are inappropriate. Therefore, we support this amendment.

While favoring the amendment, some Senators expressed the following reservations:

As modified, we can support the Dole amendment. The amendment now simply expresses the sense of the Senate on the history standards that have been developed by the National Center for History. Those standards have been vilified during the course of this debate, with some justification. To present a more balanced view of this situation, though, we think a few more points need to be made. First, the standards as proposed are not final. After receiving extensive criticism, the Center has agreed to revise and reissue them next Spring. Second, any standards that are eventually adopted will be voluntary--no school district in America will have to follow them. Third, we believe that passing the amendment shows some distrust in the ability of the National Education Goals Panel to determine on its own the value of proposed standards. We find this distrust to be ironic, considering that the Panel is composed primarily of State officials, and this bill is premised on the belief that State officials do not need Federal direction. These observations aside, though, we are willing to vote for the Dole amendment.

No arguments were expressed in opposition to the amendment.