

Congress of the United States
Washington, DC 20515

September 10, 2003

Mr. Bruce Chapman
Discovery Institute
1511 Third Ave Suite 808
Seattle, WA 98101

Dear Mr. Chapman:

In the Conference Report of the No Child Left Behind Act (2001), Congress adopted the following statement, commonly known as the "Santorum language":

The Conferees recognize that a quality science education should prepare students to distinguish the data and testable theories of science from religious or philosophical claims that are made in the name of science. Where topics are taught that may generate controversy (such as biological evolution), the curriculum should help students to understand the full range of scientific views that exist, why such topics may generate controversy, and how scientific discoveries can profoundly affect society.¹

This statement was included in HR 107-334, which was approved by a vote of both houses of Congress in December 2001. It therefore represents the official view not only of the Conference Committee but of the United States Congress as a whole about how science instruction should proceed under the No Child Left Behind Act.

This statement originated as a resolution offered by Sen. Santorum during debate of the No Child Left Behind Act and was adopted in the Senate by a vote of 91-8.² The Conference Committee then decided to add a revised version of the resolution to the Conference Report of the No Child Left Behind Act.

We understand that there is some confusion about the statement's history and meaning. It has been asserted that Congress rejected the original Santorum resolution by placing it in the report language of the No Child Left Behind Act rather than in the statutory language. This is not the case. The original resolution was always intended as guidance, not a mandate, and in fact was approved as a "Sense of the Senate." Thus, it was most appropriate to include as report language.

Report language provides official guidance from Congress on how statutory language should be enforced by other government agencies, and the Santorum language should be understood in this light. It is just as authoritative as other provisions in the report language of the Act, such as Congress's directive that "mentoring services... Not be limited to beginning teachers";³ the determination that private schools and faith-based organizations "be included among the 'other organizations involved with the implementation and operation of programs under this title'";⁴ and

¹ No Child Left Behind Act Conference Report, HR 107-334, p. 703.

² Congressional Record, June 13, 2001, p. S6153.

³ No Child Left Behind Act Conference Report, HR 107-334, p. 1041.

⁴ Ibid., p. 797.

the detailed instructions given about how states should calculate and report graduation rates.⁵ In each of these examples, Congress fully expected the guidance it provided in the report language to be followed, including, in this case, the Santorum language.

We further understand that a claim has been made that the revised version of the Santorum language was “watered down.” The final wording was actually strengthened by adding a provision that “the curriculum should help students to understand the full range of scientific views” on controversial topics such as biological evolution. This clause made explicit Congress’s rejection of the idea that students only need to learn about the dominant scientific view of controversial topics.

The Santorum language clarifies that public school students are entitled to learn that there are differing scientific views on issues such as biological evolution. The No Child Left Behind Act calls for the enactment of state standards in the field of science. It is important that the implementation of these science standards not be used to censor debate on controversial issues in science.

Sincerely,



Rep. John A. Boehner (R-OH)
Chair, House Committee on Education and the
Workforce
Chairman, No Child Left Behind Act
Conference Committee, 107th Congress



Sen. Judd Gregg (R-NH)
Chair, Senate Committee on Health, Education,
Labor & Pensions
Member, No Child Left Behind Act
Conference Committee, 107th Congress



Sen. Rick Santorum (R-PA)
Author and sponsor of the Santorum Language

⁵ Ibid., p. 713.