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existent. It is the parent's responsibility to choose within the range of schools and programs allowed to operate by the States.

It is this status that Congressman Miller seems to want to change and to bring the national government into the mix by introducing some kind of national government jurisdiction over the private parent-choice network of schools, programs and supporting professionals. If he is successful, the parent's ability to choose will be subtly restricted by having to share this responsibility with the federal government as well as with the several States.

This is not necessarily a bad thing! If the legislation that comes out of Congress is wise, if the regulations that are written pursuant to the legislation are sensible and true to the intent of the legislation, if the civil servants hired to administer the regulations are sensitive to the needs of parents, children and parent-choice schools and programs, and if they are effective and do their jobs, then national legislation would be good. One result would be that parents could have less chance of being preyed upon by irresponsible and incompetent private programs.

Another possible good that could come out of national legislation might be a restriction on those States that harass private parent-choice schools and programs. States empire-build by refusing licenses or positive reviews to programs that take only private pay adolescents and are not interested in enrolling State kids. I have heard stories of this empire-building for years, and State empire-building and hostility to private parent-choice schools and programs is one of the reasons there are so few private choices in some States. For an example that happened in Washington State, see *What Happened at Skyland Ranch* in my online archives.

Faith that Congress will get it right and come up with wise legislation that enhances parents' ability to make better choices on placement of their children when needed is very optimistic; some would call it Pollyannaish. An optimistic view depends on a faith that Washington DC will provide better decisions through relying on the "best and the brightest" to make decisions. A look at the track record of Congress is enlightening.

One example is the Health Insurance Portability and Accountability Act (HIPAA) passed by Congress in 1996. Among other things, the problem Congress was trying to fix was to ensure privacy of medical records consistent with competent health care. Every health professional I have talked with, off the record, is either dubious of how it has helped or asserts that the legislation made the problem worse, partly from the vast amounts of additional paperwork and reporting required from healthcare organizations. From the (off-the-record) comments of health professionals that have to deal with this law, it sure doesn't sound like Congress got it right.

Another example is the 2001 Reauthorization of the Elementary & Secondary Education Act, commonly referred to as No Child Left Behind (NCLB). This legislation is currently the primary consideration of Congressman Miller's House Committee as it is due for reauthorization this year. It seems nobody is happy with this legislation, with the possible exception of the national Department of Education. Criticisms range from claims it undermines real education by forcing teachers to "teach to the test," to being grossly under funded by the national government, to claims it is an excessive intrusion by the national government into a traditionally state-local government and parent responsibility. From the sound and fury over this legislation, six years after passage, and considering American students still are not progressing as fast as those of other countries, it appears obvious Congress hasn't yet got this one right either.

Just because it is conceivable that Congressional action could help parents and their families does not ensure that Congress will get it right. Considering the ham-handed national government efforts in other areas, it more likely will result in a restriction on parents' choice that never could be measured since it would be impossible to count the programs that never start up, or shift to working with legal age young adults. Or, to put it another way, do parents really want the national government as a partner in choosing where to place their teen with problems?

When we are in competition with ourselves, and match our todays against our yesterdays, we derive encouragement from past misfortunes and blemishes.

Moreover, the competition with ourselves leaves unimpaired our benevolence toward our fellow men.

~ Eric Hoffer