

minute and to revise and extend his remarks.)

Mr. HINCHEY. Mr. Speaker, increasingly people across this country are referring to this Congress as the "do nothing Congress." But more appropriately it might be referred to as the "conspiratorial Congress." The leadership in this House has conspired with someone in this Congress to kill both antismoking legislation and campaign finance reform.

The somebody yesterday succeeded in killing the antismoking legislation. That job has been done. Now the leadership in this House has got to live up to its part of the conspiracy and deliver on killing campaign finance reform. They are doing so by proposing a rule on the floor later today with an unprecedented 258 amendments designed to drag this issue out all through the summer into the fall. It is death to campaign finance reform by amendment.

Mr. Speaker, that is the conspiracy that is going on in this Congress. We need Meehan-Shays on the floor. We need real campaign finance reform. Let us have a vote on the real bill.

REPUBLICAN EDUCATION PROPOSAL LONG ON PROMISE AND SHORT ON SUBSTANCE

(Mr. CUMMINGS asked and was given permission to address the House for 1 minute.)

Mr. CUMMINGS. Mr. Speaker, I rise in opposition to the education savings account proposal. Ninety percent of America's children receive a public school education. This proposal is a slap in the face to America's already struggling school systems.

If this measure is adopted, resources will be siphoned away from an already financially needy education system. It does nothing to strengthen one of our most cherished American institutions, public education.

How then can we in good faith suggest a measure to the American public that would primarily benefit wealthy families? Instead, I urge my colleagues to join the effort to build and modernize our public school buildings and administrations.

Instead, let us provide funding for local school districts to hire 100,000 new and qualified teachers to reduce class size. Instead, let us initiate comprehensive reform through the creation of Education Opportunity Zones in both urban and rural areas.

Instead, let us expand access to after-school initiatives through the "21st Century Community Learning Center Program."

Mr. Speaker, the agenda proposed by my Republican colleagues is long on promise and short on substance.

SHAMEFUL MORNING IN AMERICA

(Mr. ROTHMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHMAN. Mr. Speaker, this is a shameful morning in America. Two of the most important issues facing the American people, anti-tobacco legislation and campaign finance reform, have just been dealt a severe setback by this Republican-controlled Congress.

There was an opportunity yesterday in the Republican-controlled Congress to bring some justice to this debate, to right some wrongs, to invest in the tobacco-free future of our children. But instead, our Republican colleagues killed the tobacco bill.

Here in the Republican-controlled House, the leadership will not even allow debate on tobacco. They do not even plan to bring a bill to the floor. Instead, the Republican leadership in this House continues to spend their time killing campaign finance reform.

Mr. Speaker, I believe strongly in finding bipartisan solutions to America's problems. But how can we solve America's most important problems if the present Republican-controlled Congress continues to kill or strangle debate on issues of such vital importance to America as tobacco and campaign finance reform?

HOUSE SHOULD CONSIDER MEANINGFUL TOBACCO LEGISLATION

(Ms. DEGETTE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DEGETTE. Mr. Speaker, last night Big Tobacco did what it does best again when it spent \$40 million to kill the comprehensive tobacco legislation. Is that what America's children are worth?

This Saturday, it will be exactly 1 year since the State attorneys general proposed their settlement agreement. Since last June, Congress has done nothing to stem the willful and destructive forces of the tobacco industry.

By selling out to Big Tobacco, the 105th Congress has sat idly by while an astounding 1,095,000 more kids have become addicted to tobacco. One-third of those children, over 300,000, will die from tobacco. These kids are not faceless figures, they are our children.

Mr. Speaker, we cannot be fooled into believing this problem is too complex for the House to address. We can address it. We must address it this year.

One simple solution is to raise the legal purchase age for smoking from 18 to 21. Raising the legal age will squash big tobacco's ransom demands by paving the way for new restrictions on tobacco solicitations on college campuses.

Mr. Speaker, I urge the House to consider meaningful tobacco legislation.

CAMPAIGN FINANCE REFORM

(Ms. HOOLEY of Oregon asked and was given permission to address the House for 1 minute.)

Ms. HOOLEY of Oregon. Mr. Speaker, campaign finance reform is the "Little Engine that Could," and it is picking up steam.

Last night, the leadership on the other side of the aisle once again tried to derail this train with a cynical commission bill that was heavy on talk and light on action. When that failed, real reform was pulled from the schedule while the leadership discussed new ways to use parliamentary tricks to stop action on the Meehan-Shays bill.

Mr. Speaker, it does not seem to matter to the leadership on the other side of the aisle that the American people are crying out for reform. It does not seem to matter to the leadership on the other side of the aisle that both Democrats and Republicans want reform now.

It does not seem to matter to the leadership on the other side of the aisle that we were promised an open, honest debate on campaign finance reform. Because when it comes to campaign finance reform, the leadership on the other side of the aisle seems to be all about promises made and promises broken, because it is time to pass real campaign reform now.

CONFERENCE REPORT ON H.R. 2646, EDUCATION SAVINGS AND SCHOOL EXCELLENCE ACT OF 1998

Mr. GOODLING. Mr. Speaker, pursuant to House Resolution 471, I call up the conference report on the bill (H.R. 2646) to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. NEY). Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Monday, June 15, 1998, at page H4551.)

The SPEAKER pro tempore. The gentleman from Pennsylvania (Mr. GOODLING), and the gentleman from New York (Mr. RANGEL) each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. GOODLING).

GENERAL LEAVE

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the conference report on H.R. 2646.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

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

Mr. Speaker, I rise in support of the conference report on H.R. 2646, the

Coverdell A-plus Education Savings Account legislation. These new education accounts will allow parents, grandparents, friends and others to open an education IRA for a child's educational needs.

The accounts will encourage saving for the future. It moves us from last year's post-secondary account down to a K-through-12 savings account.

Some may ask why am I supporting it since it does not include the testing prohibition language and the answer is very clear. In order to prevent this legislation from getting bogged down in the Senate, we took a different route.

Mr. Speaker, I have a letter of assurance from the Speaker and from the Majority Leader of the Senate which make its very, very clear that the text of the fiscal year 1999 Labor, Health and Human Services and Education Appropriation bill, and any supplemental or any other such legislation, will not, I quote, will not leave Congress without a testing provision that I find to be satisfactory, which of course means no test, no new national test.

If the appropriation bill, as I said, does not make it to the President's desk, then every effort will be made to include this in a continuing resolution or any other must-pass legislation.

Mr. Speaker, I will include a copy of the letter that I received from the Speaker and the Senate Majority Leader in the RECORD after my remarks.

Mr. Speaker, I thank Speaker GINGRICH and Majority Leader LOTT for their careful attention to this important issue. Senator ASHCROFT and I have labored long and hard to protect against top-down, Washington-based testing. Senator ASHCROFT's amendment and my testing prohibition bill have passed the Senate and the House, respectively, on recorded votes. Members are on record as opposing new Federal testing that is not specifically authorized by Congress. With our leadership's help, we will continue to pursue a ban on funding for the President's testing plan during the appropriations process.

Mr. Speaker, I want to thank the gentleman from Texas (Chairman ARCHER) and the other conferees for their support in retaining the Reading Excellence Act in the final conference report. This act, which the administration now supports, will provide \$210 million in funding for new research, teacher training, and individual grants to help improve K-through-12 reading instruction.

The act is the House Republican counterproposal to President Clinton's America Reads program, which aims to send semi-trained volunteers into the classroom. Our reading bill will bolster the reading skills of children by providing more resources, research, and training to teachers, not untrained volunteers.

I also want to state that there is a technical error in the report regarding the participation of private schools in the program. I want to assure my col-

leagues that we will do everything possible to correct this error.

Mr. Speaker, a few of the other important education provisions included in the final bill are: Incentive grants to schools that produce academic excellence, public schools; incentive grants for States that implement merit pay for teachers; the allowance of the use of Federal dollars to be used for same-gender schools where comparable educational opportunities are offered for students of both sexes; and allowing weapons to be admitted as evidence in internal school disciplinary proceedings.

Finally, I would note that the Gordon block grant proposal was dropped from the bill, again in an effort to protect the bill from getting bogged down in the other body. However, I expect the Committee on Education and the Workforce will be taking action on some block grant initiative in the future.

The letter referred to is as follows:

CONGRESS OF THE UNITED STATES,
Washington, DC, June 5, 1998.

Hon. BILL GOODLING,
Chairman, Committee on Education and the
Workforce, House of Representatives, Washington, DC.

Hon. JOHN ASHCROFT,
U.S. Senate,
Washington, DC.

GENTLEMEN: We are grateful to the two of you for taking the lead on requiring that testing of students remain at the state and local level. The administration's proposal to control student testing at the federal level necessarily would result in government control of the curriculum. Stopping this central government control of student testing is a very important part of our Republican plan to return our schools to the control of the parents and teachers at the local level.

We have worked with you and voted with you to pass a federal testing prohibition bill in the House and to add an amendment to H.R. 2646, the Education Savings Act for Public and Private Schools. Obviously, since this bill is under the threat of a veto by the administration and a filibuster by Senate Democrats, it does not serve our interests to pursue the ban on federal testing in this bill.

Therefore, in order to ensure that Congress will pass and send to the President a ban on federal testing, you have our commitment to support inclusion of your testing prohibition language (H.R. 2846/Amendment 2300 to H.R. 2646) in the base text of the FY1999 Labor, Health and Human Services, and Education Appropriations bill. This language will be maintained through floor action and the conference committee process. You have our commitment that this bill will not leave the Congress without a testing provision that you find to be satisfactory.

If for some reason the Labor/HHS/Education Appropriations bill does not make it to the President's desk, then we will support efforts to include this provision in any Continuing Resolution(s), or other "must pass" legislation in both bodies. We appreciate your leadership over the past months on this most important issue and look forward to continuing to work closely with you.

Sincerely,

TRENT LOTT.
NEWT GINGRICH.

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

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

Mr. Speaker, I am so surprised that my Republican friends on the Committee on Ways and Means, the tax writing committee, have distanced themselves so far from this bill. This is a tax bill. No one challenges that this is a tax bill.

My Republican friends are saying that this code is so complicated, so unfair, that it ought to be pulled up by its roots. And yesterday it said after we get rid of President Clinton, we will get rid of the code, which is good talk before an election. But if the code is so complicated, why would the Republicans add this fertilizer to the roots that they want to pull up?

This is supposed to be an education bill? What does it say? The gentleman from Pennsylvania (Mr. GOODLING), my good friend, never even talked about that. He talked about all of the fine efforts that we have to make to have our kids to read.

Mr. Speaker, let us talk taxes. Let us say what we are going to do for the American parents here. Because the gentleman and I agree that one of the most important things that we have to do to maintain America's competitive position is to educate our young people so that they will be able to meet the challenges of the next century.

So while all America is paused waiting to hear what is the Republican plan to better equip our children, they send a man who knows how to educate our children, who chairs the committee, who really sincerely has proven over the years his dedication for educating our children, they send him to this floor with a tax bill. So let us see the merits of the tax bill.

Mr. Speaker, if an American child has an income less than \$150,000, this bill allows an account to be opened in the child's name.

□ 1045

If the child has friends, relatives, corporate figures, or anybody that loves this poor child enough, they can deposit into an account up to \$2,000. There is no provision in the bill of what happens if you do not make the \$2,000, but that is not important, because the government does not give you the \$2,000. The government gives you a tax-free status on the interest. So if you are lucky, you can make, out of this bill, anywhere between \$7 a year upwards to \$37 a year, depending on your accounting system.

For those who do not want to complicate the code, what does this all mean? It is an educational bill. It means that, out of the \$2,000, you can use this money to further the education of your child.

Let us take a closer look at the bill and find out. Is education schools, the renovation of schools, the construction of schools? Does it mean adding teachers to the school? Does it mean buying books and equipment for the school? No, no, no, Mr. Rangel, this is a tax bill.

What do you expect in a tax bill? Oh, I got it. The bill says that you can deduct and pay for, under this, if you

have a tutor for your child, or, if you do not have a tutor, if anyone is teaching your child, or, if you do not have anyone to teach your child, baby-sitting can be considered a part of instructing your child, or it could be transportation for your child to school. You could pay for the school bus. You could pay for the cab. You could pay for the scooter bike to get there.

There are other provisions in this bill that perhaps make a lot more sense, and that is that you can buy books. You can buy tablets. You can buy pens and pencils for your children.

I do not know whether the rest of the family can use these things, because, after all, this tax legislation means that these things have to be bought for the child. So we have to make certain that you have the school equipment on one side and what the parents would use on the other side.

If you want to get a television set, because you can get a lot of education on TVs these days, they have got educational channels, I suspect we may have to get an opinion from the Internal Revenue Service, that is, before you throw that out with the rest of the tax code, to see whether you can buy a TV.

It is disgraceful. It is embarrassing. It is a terrible hoax to play on the American people to have education associated in any way with this bill. Let me tell you one of the reasons is because nobody has given any thought to this thing. Has this thing gone to any committee for consideration? Did we not have hearings on this? Were there teachers coming down saying, for God's sake, pass this so that I can educate the children, or were the parent-teacher associations marching around the Capitol saying pass this education initiative?

My God, even the Republican National Committee is not supporting this. But it is closer to election time. Legislation is more designed for bumper stickers than it is to be passed into law. So the President, in his wisdom, will not allow the Internal Revenue Service to have to add this to the complicated code which my colleagues want to pull up by the roots. The President will spare my colleagues the embarrassment of having to administer this bill.

However, there are bills here that have been passed that make a lot of sense. In my motion to recommit, I am going to ask that we give an opportunity for Republicans and Democrats, liberals and conservatives, to do something constructive; and that is to ask the committee to go back in and to commit themselves, not to tax laws, but to education, to rebuild our schools, to vitalize our schools.

We need \$172 billion for the new schools and to bring back our decrepit schools. So let this be the last time before election that we try to get bumper-sticker type of legislation.

When you say education, look somewhere and, instead of just bringing the

distinguished gentleman here who has dedicated his life to education, if it is going to be taxes, bring the chairman from the Joint Committee on Taxation, and let us talk about this bill and how effective it is going to be.

Other than that, I want to see whether anybody else wants to stand up and support this.

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

Mr. GOODLING. Mr. Speaker, I yield what time he may consume to the gentleman from Pennsylvania (Mr. ENGLISH) from the Committee on Ways and Means.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I am delighted with the opportunity to appear here on behalf of this conference report. Let me tell you why I think this is important. I believe very strongly that families who save to put their kids through school, whether it is primary, secondary school, or college, whether it is a private institution or a public institution, should be able to save without having those savings taxed.

It is not a big tax break. It is a very important principle that we are beginning to enshrine in the law, and this conference committee report moves strongly forward in that direction.

I believe anyone in this chamber who shares that principle and shares that belief should be prepared to support this legislation. It is perfectly consistent, I might add, with tax reform, because this is just the beginning of the kind of tax change and tax incentive that tax reform should enshrine more broadly in the tax code.

So we have heard some rhetoric here today from the opposition to this legislation: disgraceful, embarrassing, fertilizer. Mr. Speaker, I am going to leave the fertilizer on the other side of the aisle, and, instead, rise in strong support of this conference committee report that will promote education savings and promote education excellence.

This conference agreement will allow tax-free expenditures from education IRAs for elementary and secondary school expenses as well as higher education costs. The agreement would increase the maximum annual amount of contributions for education IRAs to \$2,000, which is what it should have been in the first place.

One extremely important provision in this conference report addresses the need for tax relief for prepaid tuition programs, an issue that I have advocated since I came to this Congress. I believe that people should be able to use State prepaid tuition programs for postsecondary education without a tax penalty; that we move in the direction of liberalizing the tax treatment of those programs.

This legislation will also allow both the contributions and earnings on distributions from qualified State tuition programs to be tax free, provided funds are used for higher education purposes.

In addition, private colleges or a group of private colleges mayulti-

mately offer similar prepaid tuition programs. I have long advocated the equal treatment for private colleges and universities. While we still have a ways to go to establish tax equity for these schools, this recognition puts a mark in the law moving in that direction.

There are several other important provisions in this conference report, including the extension of section 127, employer provided education assistance through 2002. That in itself makes this legislation worth voting for, even if you do not agree or are not enthusiastic with all of the other provisions.

Mr. Speaker, this is important legislation. It may be disgraceful or embarrassing to the other side of the aisle to have this kind of bill coming out under Republican authorship. I can tell you this, I think this moves us in the right direction of making higher education more affordable, of making basic education more easy to save for with a better tax treatment.

We are moving in the right direction. I think it will be instructive to see how many people in the end stand up against this legislation.

Mr. Speaker, I appreciate the chance to participate in this debate.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, it seems that the leadership of this House has taken another poll; and in that poll, they discovered that the people of this country are concerned about the quality of education that their young family members are getting. So they come up with this brilliant idea to provide a tiny little tax cut for private schools.

This tiny little tax cut would amount to somewhere in the neighborhood of between \$5 and \$10 a year to families in my district. That is not even enough to buy a single textbook. That is how meaningless and disgraceful this piece of legislation is. Instead of doing what we need to do, this offers a false hope to people.

We know what is wrong with education in our country. We know that we need more teachers. This bill does not do a thing to provide more teachers. We know that we need smaller class sizes. This legislation does not do a thing to provide us with smaller class sizes.

We know that we need an infrastructure improvement program to build classrooms and to upgrade schools and existing classrooms. So many of the classrooms, most of them, are so old in this country, they cannot even be wired for the Internet. They need a complete overhaul in the wiring of the school system. This is what we need, and this is what the ranking member of the Committee on Ways and Means is offering us in his motion to recommit.

What this Congress ought to be doing is investing appropriate resources to reduce class sizes, to educate more teachers, and, most of all, to build the classrooms and build the schools and

upgrade the system so that we can modernize our schools, modernize our classrooms so that we can modernize education in America. That is what the motion to recommit would do.

The bill before us would do none of that. That is why we need to vote for the motion to recommit and defeat the legislation.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. WELLER).

Mr. WELLER. Mr. Speaker, I want to thank my friend from Pennsylvania for yielding this time to me.

Mr. Speaker, I rise in strong support of this conference report. What is terrific about this conference report is it not only helps public schools, but it also helps private and parochial schools in the district that I represent.

I represent the south suburbs of Chicago, and we are fortunate to have a very strong Catholic school system in Joliet in the south suburbs as well as other faith-based and also public schools. This legislation helps both. That is what is really great about this legislation. We are helping all sorts of families, and we are helping all sorts of parents who make different choices for their kids. I realize there is some that do not want to do that, and that is why they oppose this bill.

As I look at what you can do if you set aside \$2,000 a year in this education savings account, I think of the parents and public school kids who are faced with fees for textbooks and faced with whether they need to buy a laptop computer so their son or daughter can do better in a public school.

Of course, as a result of these savings accounts, they have a mechanism where they can set aside money just like an IRA and use that to meet these costs of local, public education. Of course, the kids that go to the Catholic school system in Joliet would benefit as well. That is good.

We raised those contribution limits from the current \$500 to \$2,000, allowing the family to set aside up to \$10,000 by the time a child is ready to enter first grade.

We are concerned about public education. This legislation also makes a pretty good commitment. Right now, only 70 cents on the dollar of every Federal education dollar that we appropriate actually reaches the classroom. That means almost 30 cents of every education dollar that we appropriate here in Washington is consumed by the bureaucracy in Washington before it reaches the classroom.

This legislation makes a commitment to raise that to 95 cents on the dollar so that the money that we spend and provide to help public education back home actually reaches the classroom. That is a pretty important goal.

I also look at another provision which was also, I think, pretty significant. This legislation allows private colleges and universities to offer pre-paid tuition programs that will benefit the students that go to Olivet Nazarene

University in Kankakee County as well as Saint Francis and Lewis.

This is good legislation. It helps public schools, and it helps private schools. It deserves bipartisan support.

□ 1100

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Speaker, I thank the gentleman from New York for yielding me this time. I rise in strong opposition to the conference report.

Today, we are being treated to yet another episode in the continuing Republican saga of tax relief for the rich. It is also known as Robin Hood in reverse; take from the poor to give to the rich. When we look behind all the rhetoric, what we find is that the people who benefit from this bill are not everyday citizens. They only get about \$7 a year out of this bill. The people who benefit are, again, the wealthiest 20 percent of Americans.

There is nothing wrong with private schools. There is nothing wrong with savings accounts. I think it is a great idea. What is wrong is when we take tax dollars away from public education, and that is what this bill does. Tax relief for the rich.

We have some problems in education. If the Republicans were serious about dealing with education, they would look inside our public school systems. Ninety percent of the students in America go to public schools. Sixty percent of Americans think we here in Congress ought to be spending more money on public education. It would seem to me that what we ought to be doing is putting our money where the students are: in public education.

How should we do this? There is a Democratic alternative that says, number one, we need smaller classes in grades 1 through 3. We need to reduce class size by hiring more teachers. I think that is a good idea. We need to build our infrastructure. We need to repair our schools. We have schools that have asbestos problems. We have schools with leaking roofs. About a third of all the schools in America have major repair problems that need to be addressed, not by some savings account gimmick but by a serious commitment of Federal funds for public education.

We also need to invest in our public schools by enabling them to have access to the Internet. Fifty percent of our schools are not capable of being wired to the Internet because they cannot accommodate the new technology. We need to address that infrastructure concern.

So when we talk about aid to education, there are two ways to go. We can go the way of tax relief for the rich or we can look at a serious commitment to repairing our education infrastructure. That is the approach the Democrats embody in their motion to recommit.

I urge rejection of the conference report. I urge adoption of the motion to recommit.

Mr. GOODLING. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. ARCHER), the chairman of the Committee on Ways and Means.

Mr. ARCHER. Mr. Speaker, I thank the gentleman for yielding me this time.

I am somehow puzzled over and over again as I listen to comments from the other side of the aisle, and I just listened to our previous colleague say that this takes dollars away from public education. That is totally, totally false, and he must know it if he has read the bill. Not \$1 in this bill is taken away from public education. But we listen to this rhetoric spoken over and over again, on issue after issue, and I am sure that many Members might believe some of it. It just happens to not be true.

What this bill does do is give parents an opportunity to save for their children's education, which they already have the opportunity to do so, and spend that money on college education. Those programs have not destroyed the public universities of this country, nor have they taken \$1 away from the public universities to put into private universities. But for some reason, the Members on the other side of the aisle want to make people believe that what we are doing here today will destroy public elementary and secondary education.

And nothing could be farther from the truth because all of the evaluations of this bill are that the savings that parents will put freely into accounts for their children will be used 75 percent for children in public education and only 25 percent for children who go to private schools. Now, that is the Congressional Budget Office's analysis of this bill.

So let us get the facts straight. These savings accounts can be used to help children with disabilities, whether they are in public school or in private school, for their special needs. These savings can be used for tutors to help children in public schools, who desperately need it, in those schools that are not attaining the same levels as we see in many other schools.

And, by the way, we should not forget that most American children are getting an outstanding education. And thanks to local school boards, good teachers and smart kids, many Americans receive a world class education. And that is one of the reasons why our Nation is the envy of the world, and we should all be proud of it. But, yes, it is true that there are other schools that are not attaining that same level and we need to be concerned about it.

But when I listen to the rhetoric from the other side of the aisle, I wonder, what am I really hearing? Am I hearing rhetoric that has been prompted by large, powerful special interests or by a concern for the children of this country? I wonder. Why do they not want choice for children in elementary and secondary education? Oh, they are

happy to give it in college. Why do they not want it for children in elementary and secondary education? I wonder. Why do they not want a higher degree of personal responsibility and local control of our elementary and secondary schools, rather than having greater and greater Federal intrusion which ultimately will take away that flexibility? Again, I wonder.

This is a good bill. It permits parents to do what we already permit, savings for college education, and gives those parents the opportunity to also use that funding, where necessary, to help their children in elementary and secondary education get a better opportunity and end up being better equipped to go out into this world.

Despite how helpful this plan is for children's education, I know President Clinton is under intense pressure from special interests to oppose our bipartisan plan. And I say to the President, "Mr. President, do not veto this bill. Do not put the needs of special interests ahead of the needs of our children and our schools. If you support Federal money through HOPE scholarships for public and private universities, why would you oppose Federal money for public and private secondary and elementary schools?"

And if HOPE scholarships do not destroy public universities, why would educational savings accounts harm public high schools? They will not. They simply will not. But they will give another tool, not a complete answer to all of educational problems, but another tool to help parents secure a better education for their children. And that is why many Democrats, including Senator TORRICElli and former Congressman Floyd Flake support this bill, because it is good for our children.

This legislation also expands the definition of "qualified tuition program" under the present law provision granting qualified State prepaid tuition plans favorable tax treatment to prepaid tuition plan sponsored by private educational institutions. Because of revenue constraints, we were not able to make this change effective immediately. However, in making this change, no inference was intended as to the treatment of certain prepaid tuition plans sponsored by private institutions under present law.

I urge a vote against the motion to recommit and a vote for this conference report, which will begin a pattern of helping to develop better education for our children.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume to agree with the distinguished chairman of the Committee on Ways and Means, and say that he is right, that the cost of this bill is not taking away from appropriations for the public schools. This is not an education bill. This is a tax bill, and he is right, it does give tax cuts to those people that have enough money to deposit in a bank account.

And I have to admit that the chairman is right when he says that we are

driven by special interests. That special interest are those very special children who need so badly to get a decent education. And so, once again, I agree with my chairman. But perhaps we do not end up at the same place, at the same time, with the same bill.

Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. FORD).

(Mr. FORD asked and was given permission to revise and extend his remarks.)

Mr. FORD. Mr. Speaker, I thank the gentleman for yielding me this time.

To my dear friend, the chairman of the Ways and Means, I would remind him, as he talks about special interests, that it was yesterday in the United States Senate where our majority leader in the Senate and others rejected a tobacco bill that was sponsored by Mr. McCAIN and which many Democrats and Republicans had worked so tirelessly on. It was special interests, namely cigarette makers, that caused us to reject that bill and might cause us to retard public health efforts on behalf of children in this Nation.

But I rise in opposition to this conference report. I would agree with my colleagues on both sides of the aisle that reform is needed sorely in our public school system, in our education system in America. But if we listen to educators and we listen to parents and we listen to students, they talk tirelessly about the need to have more teachers in schools, about reducing class sizes.

I come from a district where the average class size is 35 pupils per teacher. I come from a district where, in the final 2 weeks of school, 3 dozen schools had to close early because they had no air-conditioning. The only reason they stayed open for half the day was to still qualify for funding, Mr. Speaker, for state funding for their school system for the following year.

Without a doubt, all we are talking about as Democrats will not solve all the problems. But, clearly, savings accounts will not do it alone. Thomas Jefferson said that any Nation which expects to be free and ignorant at the same time, expects what never was and never will be.

Let us work together, Democrats and Republicans, and do what is right for our kids, do what is right for parents, do what is right for America.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. SAM JOHNSON).

(Mr. SAM JOHNSON of Texas asked and was given permission to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, last year the President signed with great fanfare the Taxpayer Relief Act, which allowed parents to invest up to \$500 of their own money in education savings accounts to help send their kids to the college of their choice.

Now we are asking the President to give these same parents the ability to use that same money for elementary

and high school expenses as well. And this bill gives parents, grandparents and friends the ability to invest up to \$2,000 to send their children to the best schools available, from kindergarten through college.

I do not know about the President, but we should want every child to succeed. We ought to give him that chance. It is the American way. With this additional flexibility, parents can send their children to the safest, most academically challenging schools in America. But the President says he is going to veto this pro-family, pro-education bill because he cares more about the teachers' unions than the children stuck in bad schools.

This bill has strong bipartisan support and it is time for our President to give every child in America the same chance to succeed that his daughter was given. We must pass this conference report.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY), who has dedicated her political career to improving the quality of education for our young people.

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. LOWEY. Mr. Speaker, I thank the gentleman from New York (Mr. RANGEL), our leader on this important issue, for yielding me this time. And I rise in strong opposition to this conference report and in support of the school modernization motion.

My colleagues, just come visit some of the schools in our communities. The classrooms are overflowing and the students are trying to learn in hallways. Is Congress addressing this crisis? No. The leadership of this Congress has chosen, instead, to push through a flawed bill that will please their favorite special interests but do practically nothing for the majority of American families. The solution is not an arcane tax change, it is investing in education.

Last year, 120 Members of this Congress showed their commitment to America's children by cosponsoring the Partnership to Rebuild America's Schools. This session we have a similar proposal, which the gentleman from New York (Mr. RANGEL) and I and others introduced, called the Public School Modernization Act. Our program will make interest-free loans available to school districts across the country through the Tax Code. Under the bill, school districts will be able to issue special bonds at no interest to fund the construction or renovation of school buildings, and the Federal Government will pay the interest on these bonds.

My colleagues, we simply cannot ignore the poor physical conditions of our schools any longer. The GAO found that \$112 billion is needed nationwide to just bring our schools into adequate condition. Rural, suburban and urban districts all face serious problems. It is

common sense. Children cannot learn in severely overcrowded schools and when classroom walls are falling down around them.

In New York, where the gentleman from New York (Mr. RANGEL) and I come from, a survey my office conducted found that 25 percent, one in four, of New York City public schools hold classes in bathrooms, locker rooms, hallways, cafeterias and storage areas. Almost half of our school buildings have roofs, floors and walls in need of repair.

A report by the New York City Commission on School Facilities revealed some startling realities: nearly half of the City's school children are taught in severely overcrowded classrooms. Two hundred and seventy schools need new roofs. Over half of the City's schools are more than 55 years old, and approximately one-fourth still use coal burning boilers.

Quite recently, Congress overwhelmingly passed a \$200 billion bill to build and maintain our nation's highways. I support this investment. But shouldn't we also be investing in the future of our children? Regrettably, the Republican leadership has time and time again refused to support efforts to rebuild our schools.

This bill is the wrong approach. Investing in our schools is the right one. Support the school modernization motion. It is time that we come to the aid of our schools and our children.

Mr. Speaker, I urge my colleagues to reject this bill and support the motion to recommit.

□ 1115

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. BUNNING), a member of the Committee on Ways and Means.

(Mr. BUNNING asked and was given permission to revise and extend his remarks.)

Mr. BUNNING. Mr. Speaker, I rise in strong support of this conference report for the Educational Savings Act.

I am especially gratified that the report includes \$1.5 billion in tax cuts for students enrolled in state prepaid tuition plans. And I thank my chairman the gentleman from Texas (Mr. ARCHER) for his help with this.

Last year, in the Balanced Budget Act, we cut taxes by \$2 billion for these families. Now this report wisely gives further tax relief to those families who are investing for their children's future.

Unfortunately, it sounds like the President is going to veto this bill. That would be a real shame, Mr. President. These tax cuts would help over 3,000 Kentucky students to attend college. Their families have already invested over \$7 million in our state prepaid tuition plan, and I think we need to do what we can to help them.

Mr. Speaker, I urge a vote for the conference report and for these students who need our help.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Speaker, I thank the gentleman for yielding.

I, too, rise in opposition to the conference report, the so-called education savings account legislation. This bill is simply private school vouchers by another name. Who do we think is going to be taking advantage of these accounts? Not the majority of our parents, who have little left after their monthly expenses. These IRA type accounts will obviously favor privileged families who are more likely to have more money to put into the account.

This bill will be an encouragement for well-to-do families to send their children to private schools, offering taxpayer financial subsidies for private schools, while doing nothing, nothing, Mr. Speaker, to improve America's public schools.

This bill diverts urgently needed funds from our public schools. Opposite to the thrust of this legislation, we should be passing Federal legislation to direct our limited resources into public schools, where over 90 percent of American children are educated.

Instead of subsidized education for the wealthy, we need to put our resources toward reducing class size in our public schools, modernizing and refurbishing our public schools and improving teacher training for our public schools.

As Julian Bond, Chairman of the Board of the NAACP, said recently, we should not take Federal dollars out of public education just when it needs help the most. This bill is just the latest in a long series of attempts to benefit the wealthy and to do nothing to help our middle class and lower income families.

As a matter of conscience and in support of the vast majority of Americans and their children, I urge my colleagues to oppose this ill-conceived legislation.

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the gentleman from Alabama (Mr. BACHUS).

(Mr. BACHUS asked and was given permission to revise and extend his remarks.)

Mr. BACHUS. Mr. Speaker, one does not have to be a rocket scientist, one does not have to be an economics professor to know that many families today are struggling to pay their child's college education. Both sides of the aisle would agree with that.

In fact, college tuitions have increased 234 percent since 1980. Now, this prices many families out of a college education. Others have had to go deep in debt to send their children to college.

As a matter of fact, parents and children attending college have borrowed more money for college education in the 1990's than in the 1960's, 1970's, and 1980's.

Now, I was an elected member of the Alabama State School Board, and we were faced with this problem in Alabama, one of our poorer states, people unable to send their children to college. And we were one of the first 3 states to devise a prepaid tuition plan

where parents could put away a little money each month and when their children reached college age they could take that fund and then pay for their college tuition.

I am glad to say today that 43,000 Alabama children are enrolled in our prepaid college tuition plan. 18 other states have made similar moves and have prepaid tuition plans.

We have heard about Kentucky from the gentleman from Kentucky. And it is my understanding that most other states expect to start their own plans in the near future and these plans will help make college a reality for many, many children.

It is because of that that I rise today in strong support for this conference report, for this conference report is good news for all those families and all those children enrolled in those prepaid tax plans.

There was bipartisan support for this provision, a provision which I introduced originally in this Congress 2 years ago and again last year and has been included in the conference report which makes savings and state prepaid tuition plans tax free. Can we all not agree that no tax makes less sense than one that punishes families for saving for their children's college education?

We should be rewarding families who save for their child's college education, not penalizing them. The current law penalizes them. When they draw that money out, they have to pay taxes on it. This conference report changes that.

For that reason, I congratulate the conferees and I urge my colleagues to support this legislation.

Mr. RANGEL. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. ROYBAL-ALLARD).

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in opposition to the conference report and in support of the motion to recommit. There is no question that parents have the right to choose the best possible education for their children. Unfortunately, this bill does not accomplish this goal.

Instead of opening doors to a better education for all of America's working families, this bill primarily benefits a small percentage of families who could afford to save as much as \$2,000 a year and send their children to private schools. To meet the needs of the majority of American children, we do not need another tax shelter for the wealthier Americans, what we need is to invest our scarce Federal resources in our public schools, where over 90 percent of American children are taught.

Our Nation's public schools need funds for books, computers, and well-trained teachers and they critically need funding for repairs and school construction in urban and rural communities where our public schools are overcrowded and literally falling apart.

According to the American Society of Civil Engineers, our public schools are in worse shape today than any part

of our Nation's infrastructure. And based on current growth, it is estimated that we will need to build 6,000 new schools over the next 10 years just to maintain current class size.

The motion of the gentleman from New York (Mr. RANGEL) addresses this crisis by creating a tax credit to help state and localities build new schools and make desperately needed repairs. Investing in our public schools benefits all of America's children, not just a few.

I ask my colleagues to defeat the conference report.

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the distinguished majority leader, the gentleman from Texas (Mr. ARMEY).

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, let me say from the outset, what the American people want and need for their children and what this Congress wants and needs for the children of America with respect to education is exactly the same thing. We need to have the most effective public school system in the world.

I believe that it was not very many years ago when we could stand up proudly in this Nation and say that. I believe when I was a child going through public schools that this Nation could stand up and say before the world, we have the best, most accessible public education for the children of America than any nation in the history of the world. I believe at that time in America we were in fact the envy of the world for what we were able to do and were in fact doing in the education of our children.

But something has changed, Mr. Speaker. Something has changed, and it is a matter of enormous concern and heartbreak to the American people. We cannot say that anymore. And our children are paying the cost. We are not concerned here with children who fail in school so much as we are concerned with schools that are failing America.

And while throughout America we still have some fine examples of good schools, public and private, where the parents are pleased and the children are proud and the teachers are caring, we need to cherish them and we need to have a way to get them to be more a model for the other schools.

Because tragically, Mr. Speaker, we have schools in America that are failing the children. We have got to ask ourselves what is missing here. Why is it that some schools can succeed and so many other schools can fail, sometimes a school with a lesser budget can succeed? It is not always about money. I think it is about something more important than money. I think it is about a lot of things.

This bill that we have before us today is about one of the things. And if anybody thought, and certainly I do not, that this was the entire solution to the problem, they would be naive. But part of the solution is accountability. When schools are accountable to parents, schools do better.

How do parents make a school accountable to them? Well, first through local control. When the parents in their local community elect a school board and hold a school board accountable, as a school is held accountable by the school board, it works. But also by direct control.

When the school administrator and the teachers know that the parents can and will and have the resources to pick up their child, take the child from the school that is letting the child down and put that child into school where the child will do better, it perks up their attention. They realize the need.

One principal not too far from Washington, D.C., when faced with parents that had choices and were using those choices to move their children, said very clearly, "we have got to do better or we will lose the children."

Now, what does this bill say? It says to some of those parents, if you have the means to save your own money so that you can in your own savings put together a scholarship opportunity for your child and move your child, you should get a tax break for that, the earnings from that savings should be tax exempt.

We have had other bills on this floor, bills that were equally resistant, that said to some parents of low incomes, if you do not have those means, we will provide with you scholarships. They, too, were resistant.

We are not here to defend the public schools. Of course, we know they are all precious. But we are here to improve the public schools. We are here to give them the opportunity to see the challenge that lies before them and respond to it in a meaningful way by emphasizing to them through the actions of the parents that they must be accountable to the parents and the service in the lives of the children.

Why should we trust the parents, Mr. Speaker? Very simple. The parents are and will be and always have been the first best most dedicated teacher in that young child's life. Nobody cares more. Nobody lives more with the consequences of that child's education other than the child himself. And when the parents are able to affirm that, the schools will respond to it and we will again some day have the best public schools in the world, what our children deserve.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Speaker, I thank the gentleman from New York for yielding.

Mr. Speaker, I rise today to call on this House to reject the conference report on the latest voucher bill.

□ 1130

Make no mistake about it. This is a bad bill. We have heard talk about all kinds of things. It really is about a voucher bill and it is not about the good things that happen in our public

schools. There are a lot of good schools. I am so tired of coming and hearing people bad-mouth our teachers and bad-mouth our schools. That is why I ran to come here, and I really thought I would see the rhetoric change. I am sorry to say that from some in this body, it has not changed.

As a former elected chief of North Carolina's public schools, I know that using taxpayers' money to finance private school tuition is the wrong way to improve public schools in this country. It will absolutely not do it. This bill takes the taxpayers' money, almost \$2 billion, to subsidize private schools at the expense of our neighborhood public schools who badly need the money, and that is wrong.

I call on this Congress to pass legislation to address the school construction crisis in this country. I will not go over the details. My colleagues have already heard them. I have introduced H.R. 3652. There are other bills that will provide revenue from this voucher bill to be used for school construction bonds in some of the fastest growing and most critically needed communities in this country.

If we want to help public schools, do something about it and quit talking about it and put the money out there to help children and not to help a select few but help all of them because all of them are part of this great country we call America.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. FOSSELLA).

(Mr. FOSSELLA asked and was given permission to revise and extend his remarks.)

Mr. FOSSELLA. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding me this time.

Mr. Speaker, let me just state out front that I have heard repeatedly that this is going to take money away from public education. I just urge those who are curious to read the bill and determine and find out for themselves that this does not take money away from public education. Indeed what it does is serve to improve education. Clearly there has been no stronger fighter in my mind than I am in this Congress, and before this I was elected to the New York City Council and served on the Education Committee and continually fought to improve education for the people of my community in Staten Island and Brooklyn and across this country.

In the last couple of weeks, we have seen, I guess, a critical point in terms of discussing the future of education, and, if you will, a line in the sand has been drawn. Our majority leader the gentleman from Texas (Mr. ARMEY) introduced a bill to provide, as he stated earlier, to the low-income people of Washington, D.C., 2,000 scholarships. There were parents who prayed that they would actually be able to send their child to a school of their choice. This House passed that legislation. It was quietly vetoed by the President,

thereby depriving some of those most vulnerable out there the opportunity to send their kid to a school of their choice.

Now we have another great opportunity before us today. Here we again continue to question the common sense of ordinary Americans. We just throw it out there, folks. Is it the folks here in Washington or the folks in your local towns, whether it is Capitol Hill or your State capital or city hall that is in the best position to determine where to send your child? Or is it the parents of America? All this bill does is allows the parents the opportunity that they have been deprived of for far too many years to send their child to the school of their choice so that they can invest in their most precious resource, their children.

If we really believe in the future of this country and we believe in education, we will pass this conference report.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Speaker, the conference report before us is what the Republican agenda for education boils down to: providing education tax credits for a limited population of parents who chose and have the money to send their children to private schools versus helping the 90 percent of the students that are in public schools today, 90 percent, which is where the educational future of the Nation will be determined.

Public schools face much pressure from the growing rates of enrollment, large class size, increased violence and finding qualified teachers. As they face all of these pressures, we need to make sure they have the capability to impart knowledge and learning skills to our children. That is not what this bill does. I do not understand how taking money away from public schools provides for accountability. With limited resources, teaching children is not easy to do. We have an obligation to see that the schools do their job, but this bill certainly does not do it.

In New Jersey, my home State, we have schools in crucial need of modernization as reported by the New Jersey Supreme Court. I have visited public schools throughout the State. I have seen the crumbling ceilings, the exposed pipes, the fading blackboards, the lack of ability to connect to the new technology that will make us competitive in the next century. These tours indicate that we simply cannot ignore the needs of our students any longer when it comes to the poor physical condition of our schools.

New Jersey public elementary and secondary schools will see an increase of over 100,000 students in the next 10 years requiring over 4,000 more new classrooms or else we will have even greater class sizes. We know that over a thousand of our schools are over 50 years old, many more from the turn of the century, and these statistics are

replicated across the country. This bill does nothing to meet the needs of those schools or those students.

Let us vote for the Rangel motion to recommit so we can help our public schools, where 90 percent of the public's interest and the educational future of the Nation will be served. That is the way we should be voting. Vote for the motion to recommit.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. BENTSEN).

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Speaker, is it not a little bit ironic that yesterday the House voted to repeal the Federal income tax code and yet today we are going to vote on legislation to create yet another loophole in the income tax code. We are kind of going in the wrong direction.

My dear colleague from Texas, the majority leader, I think put it best about this legislation when he said, "If you have the means." That is what this is about. This legislation is not going to help middle-class families. It is not going to help families that are struggling, that may be in difficult school districts. It is going to help families that have the means to set aside \$2,000 a year which they are going to have to let sit for a while until they get enough income to pay for private schools. This is a band-aid approach to a real problem.

The gentleman from New York has an approach to try and address the school problem for a larger number of American students and that is the approach we ought to be taking. This is nothing but a tax break for people who are not asking for it and who do not need it, and we do not even know how we are going to pay for it. I am afraid this is a precursor to what we are going to see with Social Security and everything else, is if you have the means, you are okay but if you do not, you are on your own.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut (Ms. DELAUBO).

Ms. DELAUBO. Mr. Speaker, I rise in strong opposition to the conference report. This bill is yet another attempt by the Republican leadership to gut public education and tear desperately needed dollars away from our public schools. The legislation will do nothing to improve the education of millions of middle- and working-class kids in this country. The average middle-class family would find itself with a measly \$10 benefit a year, not nearly enough for a working family to afford the cost of a private high school.

We need to focus on improving the schools that serve 90 percent of America's children, the public schools. We need to invest in technology and computers for our classrooms. That is what the motion to recommit by the gentleman from New York (Mr. RANGEL) does. If we are serious about improving

education in our country, we will reject the dangerous bill before us. Passing this bill is like waving a white flag. Passing the bill means giving up on public education, abandoning millions of children who only want that opportunity to succeed. Having a chance in America means having access to a first-rate education.

Let us not turn our backs on these children. Let us deal with legislation that helps America's children, not just a token few. Reject the conference report. Vote for the motion to recommit.

Mr. RANGEL. Mr. Speaker, I yield the balance of my time to the gentleman from Missouri (Mr. GEPHARDT), our distinguished minority leader.

(Mr. GEPHARDT asked and was given permission to revise and extend his remarks.)

Mr. GEPHARDT. Mr. Speaker, I urge a "no" vote on the conference report, and I urge an "aye" vote on the Rangel motion to recommit. I believe with all my heart that this issue, education and child rearing, is the most important issue that faces us as a people. We have never needed more in our history to have well-educated, mentally capable young people.

In my home State of Missouri, the only issue that really dominated the State legislature was how we could go from 30,000 to 60,000 prison cells over the next 5 years, a symbol of failure of our child rearing and our education system in this country.

I am tough on law and order and so are my constituents. But I say to my constituents, you cannot afford what we are doing. We cannot afford to hold a million and a half people in prison, to carry them, to keep them because they are unsafe to have in our society. We also know that if we raise children correctly, they will not get into trouble. They will not be dysfunctional citizens. But we also know our society has changed dramatically. People are not at home to raise children as they once were. That is a fact of life. We are not going to change that. And so we have to put the investment into education so that children are raised correctly.

What this bill misses entirely is that there is a whole revolution going on out in public schools to fix the schools to meet the need. In my district, I have a school in the inner city that is getting great results. The kids get great grades. I went there and I asked them how they are doing it. They said, we have parents as first teachers in the public school to teach parents how to be better parents and how to raise children. They have preschool in the public school. They have after-school in the public school, so children are engaged even at age zero, age 6 months, age 1 year, age 3 years in constructive, professionally run activities so they can be productive citizens when they come out of the education process.

Does this bill support that effort that is going on in Shepherd School in my district? I daresay not. What this bill offers is \$7 a year to the families that

are sending those kids to Shepherd School. No, what Shepherd School needs is not this bill. This is a silly bill. It is a frivolous bill. It is not serious about public education. Seven dollars a year to families in my district fighting to get their kids a good education is frivolous.

The Rangel substitute would offer real help to the people at Shepherd School. What do they need? They need bigger classrooms. They need a competent building. They need computers in the classrooms. They need help, real help. Listen to Paul Vallas, CEO of the Chicago Public Schools. This is somebody that is on the line every day. Mayor Daley in Chicago said, "Give me the schools, give me the responsibility, and we will fix them," and he is fixing them. He put his best person on this job. Here is what Paul Vallas says. He says this bill, the Coverdell bill, is really designed to give more affluent people compensation for decisions they already made to go private. That is all it is. This does not help public education. It does not help the people that are out there in the crucible of the fight to fix public education. It helps just a few people who have already chosen to send their kids to private schools. What a shame this is. What a missed opportunity this is.

I urge Members to vote for the Rangel substitute, which gives real, tangible help to the real revolution that is going on out there in the real world to fix the public schools so all of our kids are productive citizens, and vote against a frivolous, unserious, ridiculous piece of legislation that does nothing but help the privileged few.

□ 1245

Mr. GOODLING. Mr. Speaker, I yield myself the balance of the time.

First of all, I want to make sure everybody understands it does not take 1 penny from public education. If it did, I would not support it.

But secondly, all these people who are down here now crying about how much we need, how much help we need to repair schools, to reduce class size.

For 20 years I sat here in the minority and said, "Would you put your money where your mouth is on your one mandate, your curriculum mandate for special education where you would get millions and millions of dollars into school districts, where the pairs are needed," and I could not get 1 penny from that majority.

Now they talk about trying to do something to help public schools. Well, let me tell them, if we put our 40 percent of excess costs into special education, which is where the mouth was, but the money was not put there, Los Angeles school district would get an additional \$74 million. New York City would get about \$50 million. Chicago would get \$40 million. Just in 1 year, just in 1 year, and they talk about coming here, telling us they are doing

a dispirited kind of thing. They are not helping public education.

I have tried, I have tried, I have tried to get them to put their money where their mouth was for 20 years, and then we would not have the problems we have with school districts where buildings are falling down and where classes are way too large.

So I would remind everyone there is not 1 penny going to public schools in this bill except in reading excellence. They talk about helping schoolchildren. If 40 percent of the children are not doing well in reading in public schools by the end of third grade, what do we do about it? Not what the President wanted, but he got an agreement with the Committee on the Budget that said that much money would be put there. We rewrote the bill in a bipartisan manner to help those children because, if 40 percent are not doing well, obviously we have to start with teacher training. Obviously we have to deal with the lack of ability of the parent to help the child become reading ready. Obviously we have to deal with reading readiness programs before the child comes to school.

So let us put our money where our mouth is, and then we can solve all of those problems back in the local level because the millions those districts that need it the most would get is just unbelievable, and that is just in 1 year.

So I would encourage my colleagues, this is one step, and the second step is to do the funding in the special ed mandate that we promised we would do, and then we can make the changes, not by having more programs. That is what we have done those 20 years. Everybody came with another program. They watered them down to the point where we got pennies here, pennies there if there was someone that could fill out the appropriate papers in order to get the grant in the first place. Nobody ever said anything about quality. Nobody ever said anything about the problems that they had back in the local districts. We said we know from the Federal level this is the way it should be done, do it, and send them pennies to do it.

So let us start with this little piece today and let us really work on how to help local school districts take care of the needs they have as far as buildings are concerned, as far as reading readiness is concerned, as far as class size is concerned. They can do it, if we give them the money that we promised them 25 years ago.

So I would ask all to support this legislation, and then let us move forward to do the things that have to be done to make sure those public schools that may not be doing as well as they should be, and I will be the first to say that most public schools are doing well, but those that are not, we can give them the kind of help that they need.

Mr. PAUL. Mr. Speaker, I appreciate the opportunity to explain why I oppose the Con-

ference Report of the Parent and Student Saving Account Act (H.R. 2646). This, despite having been an original cosponsor, and having been quite active in seeking support, of the original House bill. I remain a strong supporter of education IRAs, which are a good first step toward restoring parental control of education by ensuring parents can devote more of their resources to their children's education. However, this bill also raises taxes on businesses and expands federal control of education. I cannot vote for a bill that raises taxes and increases federal power, no matter what other salutary provisions are in the legislation.

I certainly support the provision allowing parents to contribute up to \$2,000 a year to education savings accounts without having to pay taxes on the interest earned by that account. This provision expands parental control of education, the key to true education reform as well as one of the hallmarks of a free society. Today the right of parents to educate their children as they see fit is increasingly eroded by the excessive tax burden imposed on America's families by Congress. Congress then rubs salt in the wounds of America's hardworking, taxpaying parents by using their tax dollars to fund an unconstitutional education bureaucracy that all too often uses its illegitimate authority over education to undermine the values of these same parents!

I also support the provisions extending the exclusion of funds received from qualified state tuition programs, and excluding monies received from an employer to pay for an employee's continuing education from gross income. Both of these provisions allow Americans to spend more of their resources on education, rather than hand their hard-earned money over to the taxman.

Returning control over educational resources to the American people ought to be among Congress' top priorities. In fact, one of my objections to this bill is that it does not go nearly far enough in returning education dollars to parents. This is largely because the deposit to an education IRA must consist of after-tax dollars. Mr. Speaker, education IRAs would be so much more beneficial if parents could make their deposits with pretax dollars. Furthermore, allowing contributions to be made from pretax dollars would provide a greater incentive for citizens to contribute to education IRAs for others' underprivileged children.

Furthermore, education IRAs are not the most effective means of returning education resources to the American people. A much more effective way of promoting parental choice in education is through education tax credits, such as those contained in H.R. 1816, the Family Education Freedom Act, which provides a tax credit of up to \$3,000 for elementary and secondary expenses incurred in educating a child at public, private, parochial, or home schools. Tax credits allow parents to get back the money they spent on education, in fact, large tax credits will remove large numbers of families from the tax roles!

Therefore, I would still support this bill as a good first (albeit small) step toward restoring

parental control of education if it did not further expand the federal control of education and raise taxes on American businesses!

In order to offset the so-called "cost to government" (revenue loss) H.R. 2646 alters the rules by which businesses are taxed on employee vacation benefits. While I support efforts to ensure that tax cuts do not increase the budget deficit, the offset should come from cuts in wasteful, unconstitutional government programs, such as foreign aid and corporate welfare. Congress should give serious consideration to cutting unconstitutional programs such as "Goals 2000" which runs roughshod over the rights of parents to control their children's education, as a means of offsetting the revenue loss to the treasury from this bill. A less than 3% cut in the National Endowment for the Arts budget would provide more funding than needed for the education IRA section of this legislation.

Mr. Speaker, we in Congress have no moral nor scientific means by which to determine which Americans are most deserving of tax cuts. Yet, this is precisely what Congress does when it raises taxes on some Americans to offset tax cuts for others. Rather than selecting some arbitrary means of choosing which Americans are more deserving of tax cuts, Congress should cut taxes for all Americans.

Moreover, because we have no practical way of knowing how many Americans will take advantage of the education IRAs, or the other education tax cuts contained in the bill, relative to those who will have their taxes raised by the offset in this bill, it is quite possible that H.R. 2646 is actually a backdoor tax increase! In fact, the Joint Committee on Taxation has estimated that this legislation would have increased revenues to the Treasury by \$24 million over the next eight years!

It is a well-established fact that any increase in taxes on small businesses discourages job creation and, thus, increases unemployment! It is hard to see how discouraging job creation by raising taxes is consistent with the stated goal of H.R. 2646—helping America's families!

Mr. Speaker, this bill not only raises taxes instead of decreasing spending, it increases the federal role in education. For example the conference report on H.R. 2646 creates a new federal program to promote literacy, the so-called Reading Excellence Act. This new program bribes the states with monies illegitimately taken from the American people, to adapt programs to teach literacy using methods favored by Washington-based "experts."

Mr. Speaker, enactment of this literacy program will move America toward a national curriculum since it creates a federal definition of reading, thus making compliance with federal standards the goal of education. I ask my colleagues how does moving further toward a national curriculum restore parental control of education?

This bill also creates a new federal program to use federal taxpayer funds to finance teacher testing and merit pay. Mr. Speaker, these may be valuable education reforms; however, the federal government should not be in the business of education engineering and using federal funds to encourage states to adopt a particular education program.

While the stealth tax increase and the new unconstitutional programs provide significant justification for constitutionalists to oppose this conference report, the new taxes and spending are not even the worst parts of this legisla-

tion. The most objectionable provision of H.R. 2646 is one that takes another step toward making the federal government a National School Board by mandating that local schools consider a student's bringing a weapon to school as evidence in an expulsion hearing.

The issue is not whether local schools should use evidence of possessing a weapon as evidence in a discipline procedure. Before this Congress can even consider the merits of a policy, we must consider first whether or not the matter falls within our constitutional authority. The plain fact is as the tenth amendment to the Bill of Rights makes clear, Congress is forbidden from dictating policy to local schools.

The drafters of the United States Constitution understood that to allow the federal government to meddle in the governance of local schools, much less act as a national school board, would inevitably result in the replacement of parental control by federal control. Parents are best able to control education when the decision making power is located closest to them. Thus, when Congress centralized control over education, it weakens the ability of parents to control, or even influence, the educational system. If Congress was serious about restoring parental control on education, the last thing we would even consider doing is imposing more federal mandates on local schools.

In conclusion, although the Conference Report of Parent and Student Savings Account Act does take a step toward restoring parental control of education, it also raises job-destroying taxes on business. Furthermore, the conference report creates new education programs, including a new literacy program that takes a step toward nationalizing curriculum, as well as imposes yet another mandate on local schools. It violates the Tenth Amendment to the Constitution and reduces parental control over education. Therefore, I cannot, in good conscience, support this bill. I urge my colleagues to join me in opposing this bill and instead support legislation that returns education resources to American parents by returning to them monies saved by deep cuts in the federal bureaucracy, not by raising taxes on other Americans.

Mr. HASTERT. Mr. Speaker, I rise in strong support of the Conference Report accompanying H.R. 2646, the Parent and Student Account PLUS Act of 1998 (PASS A+) and wish to commend Chairman ARCHER and Senator COVERDELL for their work on this important bill. As an original cosponsor of this legislation I am pleased that today Congress is taking a positive step forward toward helping America's families with their efforts to educate their children.

Mr. Speaker, our nation's schools face a growing crisis and it is clear that improvements need to be made. Consider the following evidence: Nearly 40% of students do not feel safe in school and 2000 acts of violence take place in schools each day; U.S. eighth-graders recently placed 28th in the world in math and science skills; almost one out-of-three college freshman require some remedial instruction; and 40% of all 10 year-olds cannot meet basic literacy standards.

Mr. Speaker, the current state of America's K-12 education system is a serious threat to the health of the economy and to the future prosperity of American children. Thus far, school reform initiatives have focused on increasing funding to public schools. Since

1983, government funding to public K-12 schools has increased by 44 percent and average per-student spending has increased by 32 percent. Total spending for public K-12 education now totals nearly \$300 billion per year. Yet for all these increases in federal government spending, our children are falling farther behind the children of other nations. In short, Washington-based solutions to our school's problems have not worked; nor are they likely ever to work.

Mr. Speaker, to combat the pressing problem of a troubled educational system, I co-sponsored the Parent and Student Savings Account Plus Act (PASS A+). This bill allows parents, grandparents, or scholarship sponsors to donate up to \$2,000 a year per child with the buildup of interest within that account to be tax-free if used for the child's education. Money from this fund could be used to pay for tuition, books, supplies, computer equipment, transportation, and supplementary expenses required for the enrollment or attendance of a student in an elementary or secondary public, private, or religious school—even associated costs for home schooling are covered.

Mr. Speaker, the PASS A+ legislation is important because it provides American families with the one educational tool we know works—a choice. While our Nation's K-12 public schools have fallen farther and farther behind, our higher education system of colleges and universities continues to be the envy of the world. Why? simply put, colleges and universities must compete for students and their education dollars. This competition has forced colleges and universities to focus on excellence and improvement and the results speak for themselves.

Mr. Speaker, PASS A+ works for parents and families because it helps them help themselves. If their local school will not provide the education their children need, this legislation will allow them to choose an alternative. In the same vein, if their public school is working, the proceeds from these accounts can help parents provide important educational tools for their kids—like a computer. In short, this bill is a "win-win." It helps all kids, in all schools. I urge my colleagues to vote for our kids and support the Conference Report.

Mr. CLAY. Mr. Speaker, the tax scheme contained in this bill is nothing more than a back door vehicle for subsidizing families who want to send their children to private elementary and secondary schools. It is designed to create a tax shelter for families of high incomes, while leaving nothing for families that don't even have enough to pay for their retirement.

According to the Department of Education, these tax provisions would give an average tax break of \$96 for families earning \$150,000. However, for poor families, the average benefit would be only \$1.

Rather than pursuing this shamefully regressive tax scheme, we should strengthen our public schools, where 90 percent of our Nation's children attend. We should address the problems of leaky roofs and overcrowded classrooms. We should target funds for school renewal in our country's poorest school districts. Finally, we should move to reduce class sizes—a proven strategy for enhancing student achievement.

Mr. WELDON of Florida. Mr. Speaker, the American people expect all of us—

Democrats and Republicans—to work together to improve the education for our children. This bill, the A-PLUS Savings Accounts for children, will expand education opportunities for all children in grades K-12. We owe this to our children. As Washington Post columnist Charles Krauthammer put it, the "great crisis in American education is not at the university level. It is at the elementary and high school levels, where thousands of kids—particularly inner-city minority kids—are getting educations so rotten that their entire life prospects are blighted." Indeed, do any Members of this Congress send their sons and daughters to D.C. public schools? Does the Vice-President? Does the President? No, they do not. Why, because they know that their children will not be prepared for college or the workforce. As one of Jesse Jackson's campaign organizers has noted. I believe that the Clintons should not be the only Americans in public housing with an opportunity to send their children to a private school.

This bill will help all parents send their kids to any school they choose so that their children can get the best education possible. All children will benefit because any relative, individual, or business could contribute up to \$2,000 in annual contributions per child to an account that will help pay for educational expenses. The money could be used for any school: public, private, parochial, or home school, or it could be used for tutoring, school uniform costs, or children with special needs. In addition, this bill addresses other problems in our classrooms which sorely need help; literacy programs, phonics, teacher testing and merit pay, and tax-free state college savings programs. The bill has all the right elements for education success: common sense, more dollars directly to the classroom, scholarships for needy students, and strategies that will lead to better teaching and learning. Let's put the interests of all children first, not Washington lobbyists and special interest. Let's pass H.R. 2646.

Mr. FAZIO of California. Mr. Speaker, the Republican 105th Congress has failed to act on legislation to improve American schools and instead has wasted time on extreme anti-public education legislation. The Coverdell private school savings account bill is just one of a number of efforts that serve only to undermine the education of many in order to benefit a few. Costing taxpayers hundreds of millions of dollars, Coverdell essentially subsidizes upper income families who already send their children to private and religious schools.

Let's put that money into improving the institutions which educate more than 90 percent of our elementary and secondary students. Specifically, construction for our nation's schools should be a top priority in our education initiatives. The Department of Education recently released a report highlighting the need for expanding our nation's classroom space. America's K-12 enrollment will be at an all time high of 52.2 million this fall, and by 2007 this number will reach 54.3 million.

However, despite this cause for action, this Republican Congress has refused to heed the call for a school construction initiative which calls for \$5 billion in federal support to deal with the current crisis both in overcrowding and in crumbling school facilities. It is our responsibility to provide our children with an environment that is adequately equipped and conducive to learning.

Whether it be a push for vouchers or private school savings accounts, Republicans continue to ignore and undermine the needs of the majority of our nation's children. Time and time again, real concerns such as school construction are sacrificed in the Republican's narrow agenda.

Mr. RILEY. Mr. Speaker, the most important thing we can do for the future of our nation is to insure that each and every child in America is given the opportunity to receive the best education possible. I believe that it is our duty to prepare the next generation to meet the challenges of the 21st Century. The Parents and Students Savings Account Plus Act does just that. By allowing Educational Savings Accounts to be used for primary, secondary or higher education, this legislation gives our children the opportunity they deserve.

First and foremost, this legislation expands tax free expenditures from Education Savings Accounts to include elementary and secondary school expenses. Savings from these accounts can be used for tuition, tutoring, transportation, books, uniforms, and computers.

Most importantly, the measure increases to \$2,000 per year the maximum amount of contributions that may be made to an Educational Savings Account. Contributors can include relatives, friends and corporations as parties who may contribute to this account.

Mr. Speaker, this legislation gives parents more control over their children's education and is an important tool in making schools more accountable to parents. Parents, not government will decide how to best spend their money on their child's education.

I urge all of my colleagues to vote in favor of the Conference Report.

Mrs. MINK of Hawaii. Mr. Speaker, I rise today in strong opposition to the Conference Report on H.R. 2646, a bill which will provide tax breaks to benefit the wealthy in order to send their children to private schools.

There is nothing better we can do for this nation than to improve education, and assure that all children in all communities across this nation have access to quality education. Unfortunately, the Republican Majority has once again failed to put forth legislation that will help us accomplish this goal.

This Conference Report—the cornerstone of the Republican Education agenda—does absolutely nothing to improve education. It will give a few wealthy families a tax break on the money they save to send their children to private schools, or buy additional items such as computers. But it will do absolutely nothing to improve education in this country overall.

It will have no impact on our public school system which serves 90% of all elementary and secondary students. Instead it spends scarce federal dollars—\$2.2 billion over the next five years—to subsidize families that already send their children to private schools. It will be those who can already afford private education with or without this tax break that will benefit from this bill.

Low- and middle-income families are struggling just to keep themselves above ground financially. This type of assistance, which requires families to have their own money in order to benefit, does nothing for families who cannot afford to put money away for education.

An analysis by the Treasury Department found that 70% of the tax benefits in H.R. 2646 will go to families in the top 20% of the

income brackets, while all other families will get virtually nothing.

The Congress' own Joint Committee on Taxation found that 50% of the tax benefits in this proposal will go to the 7% of families who are already sending their children to private and religious schools.

Schools need our help. They need help in renovating crumbling school buildings and constructing new ones to keep up with student growth. They need our help in obtaining the latest technology and training teachers to use that technology. They need our help in reducing class size, so that children can have more individualized attention. Families need our help in providing before- and after-school programs, so that parents know their children are safe and in a learning environment during those non-school hours during the day.

Instead this bill concentrates on the central Republican education goal which is to abandon the public school system and help the few who can attend private schools. This bill would allow for the first time religious schools to benefit from federal dollars. Though not as direct as a voucher program, the tax-free interest received in these IRA accounts can be used to pay the tuition of private and religious schools.

This Conference Report does nothing to solve our most pressing problems in education today. It is simply political maneuvering to help a specific population in this country.

In addition to the tax provisions in this bill, there are other items of concern in this bill. First the conference report would for the first time allow federal money to be used to support single-sex education. It includes a qualifier that says the education offered to students of both sexes must be comparable. However, there is no requirement that such schools must comply with equal educational opportunity laws such as Title IX of the Education Act Amendments of 1972, the equal protection clause under the constitution, or state laws.

This broadly worded permission to use federal funding for single sex education ventures down a dangerous path that could turn us back to the time of separate and unequal education for female students.

The Conference Report also includes a Sense of the Congress Resolution that 95% of federal elementary and secondary education funds be spent in the classroom.

While no one can argue that we need to assure that students receive the full benefits of education funding, this resolution is deeply flawed in its findings and setting an arbitrary requirement of 95% of funds that must be spent in the classroom does not consider the practical aspects of providing education.

The findings in this resolution are not statements of fact, but conjecture, opinion or they are simply not true. Take for example the clause which states that there are "more than 760 Federal education programs, which span 39 Federal agencies at the price of nearly \$100 billion."

Let's set the record straight. The Department of Education administers 183 education programs.

Based on an analysis by the U.S. Department of Education, the list of 760 includes 305 which are identified as Department of Education programs. Of these programs 122 are unauthorized, unfunded or simply not programs. That leaves 183 Department of Education programs.

The Majority disparages the debate on education policy in this country by using such

false information which misleads the American public of the true nature of federal investment in education.

Federal education programs already drive money down to the local level. Less than 2% of the US Department of Education budget is spent on Federal administrative costs. This raises the question; is this a problem with federal administration or is it a state and local problem?

There are legitimate uses for education dollars that may not be spent directly in the classroom, but go to assure that children can take full advantage of the learning experience in our schools. For example, professional development is necessary to assure quality teachers in our classrooms, but teacher training does not occur in the classroom. Is the expense considered "dollars to the classroom"?

One of the major education goals of the Republican Majority that I agree with is to send more money to the states for special education. However, are support services for children with disabilities considered "dollars to the classroom"?

Funds on technology may need to be spent on infrastructure outside the classroom so that the school is wired for new technology, also training teachers on using technology takes place outside of the classroom. More and more schools are forming consortium and partnerships with other schools or community groups to improve technology in their schools. Funds to support such partnerships may not be spent directly in the classroom. Is this type of technology funding considered "dollars to the classroom"?

Assuring that children have a safe and drug free environment in school may include expenditures outside the classroom. Are Safe and Drug Free School funds considered "dollars to the classroom"?

Libraries are an important component of our educational system, and supplement classroom learning. Is library funding considered "dollars to the classroom"?

Mr. Speaker, the Dollars to the Classroom resolution is flawed, as is the underlying bill. Ask my colleagues to reject this conference report which will do nothing for education in this country.

Mr. GOODLING. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. RANGEL

Mr. RANGEL. Mr. Speaker, I offer a motion to recommit with instructions.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. RANGEL. Yes, I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. RANGEL moves to recommit the conference report on the bill H.R. 2646 to the committee of conference with instructions to the managers on the part of the House to agree to provisions relating to tax-favored financing for public school construction consistent, to the maximum extent possible within the scope of conference, with the approach taken in H.R. 3320, the Public School Modernization Act of 1998.

The SPEAKER pro tempore. The motion is not debatable.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. RANGEL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 5 of rule XV, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the conference report.

The vote was taken by electronic device, and there were—yeas 196, nays 225, not voting 12, as follows:

[Roll No. 242]

YEAS—196

Abercrombie	Ford	Meehan	Canady	Johnson, Sam
Ackerman	Frank (MA)	Meek (FL)	Cannon	Jones
Allen	Frost	Meeks (NY)	Castle	Kasich
Andrews	Furse	Menendez	Chabot	Kelly
Baesler	Gejdenson	Millender	Chambliss	Kim
Baldacci	Gephardt	McDonald	Chenoweth	King (NY)
Barcia	Gordon	Miller (CA)	Christensen	Kingston
Barrett (WI)	Gutierrez	Mink	Coble	Klug
Becerra	Hall (OH)	Mollohan	Coburn	Knollenberg
Bentsen	Hamilton	Moran (VA)	Collins	Kolbe
Berman	Harman	Morella	Combest	LaHood
Berry	Hefner	Murtha	Cook	Largent
Bishop	Hilliard	Nadler	Cox	Latham
Blagojevich	Hinchey	Neal	Crane	LaTourette
Blumenauer	Hinojosa	Oberstar	Crapo	Lazio
Bonior	Holden	Obey	Cubin	Lewis (CA)
Borski	Hooley	Olver	Davis (VA)	Lewis (KY)
Boswell	Hoyer	Ortiz	Deal	Linder
Boucher	Jackson (IL)	Owens	DeLay	Lipinski
Boyd	Jackson-Lee	Pallone	Diaz-Balart	Livingston
Brady (PA)	(TX)	Pascrill	Dickey	Lucas
Brown (CA)	Jefferson	Pastor	Doolittle	Manzullo
Brown (FL)	John	Payne	Duncan	McCollum
Brown (OH)	Johnson (CT)	Pelosi	Dreier	McCryer
Capps	Johnson (WI)	Pickett	Dunn	McDade
Cardin	Johnson, E. B.	Pomeroy	Ehlers	McHale
Carson	Kanjorski	Poshard	Ehrlich	McInnis
Clay	Kaptur	Price (NC)	Emerson	McIntosh
Clayton	Kennedy (MA)	Rahall	English	McKeon
Clement	Kennedy (RI)	Rangel	Ensign	Metcalf
Clyburn	Kennelly	Reyes	Everett	Mica
Condit	Kildee	Rivers	Fowler	Tiahrt
Conyers	Kilpatrick	Rodriguez	Fawell	Miller (FL)
Costello	Kind (WI)	Roemer	Foley	Minge
Coyne	Kleckza	Rothman	Fossella	Moran (KS)
Cramer	Klink	Royal-Allard	Fowler	Myrick
Cummings	Kucinich	Rush	Fox	Watkins
Danner	LaFalce	Sanchez	Franks (NJ)	Thornberry
Davis (FL)	Lampson	Sanders	Frelinghuysen	Watts (OK)
Davis (IL)	Lantos	Sandlin	Gallegly	Weldon (PA)
DeFazio	Lee	Sawyer	Ganske	Neumann
DeGette	Levin	Schumer	Gibbons	Ney
Delahunt	Lewis (GA)	Scott	Gilchrest	Weller
DeLauro	LoBiondo	Serrano	Hastings (FL)	Northup
Deutsch	Lofgren	Sherman	Cooksey	White
Dicks	Lowey	Sisisky	Cunningham	Norwood
Dingell	Luther	Skaggs	Gonzalez	Whitfield
Dixon	Maloney (CT)	Skelton	Green	Wussle
Doggett	Maloney (NY)	Slaughter	Hastings (FL)	Oxley
Dooley	Manton	Smith, Adam	Leach	Torres
Doyle	Markey	Snyder	McNulty	Weldon (FL)
Edwards	Martinez	Spratt	Moakley	Wise
Engel	Mascara	Stabenow		
Eshoo	Matsui	Stark		
Etheridge	McCarthy (MO)	Stenholm		
Evans	McCarthy (NY)	Stokes		
Farr	McDermott	Strickland		
Fattah	McGovern	Stupak		
Fazio	McHugh	Tanner		
Filner	McIntyre	Thompson		
Forbes	McKinney	Thurman		

Tierney	Vento	Wexler
Towns	Visclosky	Weygand
Traficant	Waters	Woolsey
Turner	Watt (NC)	Wynn
Velazquez	Waxman	Yates

NAYS—225

Aderholt	Gillmor	Parker
Archer	Gilman	Paul
Armey	Goode	Paxton
Bachus	Goodlatte	Pease
Baker	Goodling	Peterson (MN)
Ballenger	Goss	Peterson (PA)
Barr	Graham	Petri
Barrett (NE)	Granger	Pickering
Bartlett	Greenwood	Pitts
Barton	Gutknecht	Pombo
Bass	Hall (TX)	Porter
Bateman	Hansen	Portman
Bereuter	Hastert	Pryce (OH)
Bilbray	Hastings (WA)	Quinn
Bilirakis	Hayworth	Ramstad
Bliley	Hefley	Redmond
Blunt	Herger	Regula
Boehlert	Hill	Riggs
Boehner	Hilleary	Riley
Bonilla	Hobson	Rogan
Bono	Hoekstra	Rogers
Brady (TX)	Horn	Rohrabacher
Bryant	Houghton	Ros-Lehtinen
Bunning	Hulshof	Roukema
Burke	Hunter	Royce
Burton	Hutchinson	Ryun
Buyer	Hutchinson	Sabo
Callahan	Hyde	Salmon
Calvert	Ingels	Sanford
Camp	Istook	Saxton
Campbell	Jenkins	Scarborough
Canady	Johnson, Sam	Schaefer, Dan
Cannon	Jones	Schaffer, Bob
Castle	Kasich	Sensenbrenner
Chabot	Kelly	Sessions
Chambliss	Kim	Shadegg
Chenoweth	King (NY)	Shaw
Christensen	Kingston	Shays
Coble	Klug	Shimkus
Coburn	Knollenberg	Shuster
Collins	Kolbe	Skeen
Combest	LaHood	Smith (MI)
Cook	Largent	Smith (NJ)
Cox	Latham	Smith (OR)
Crane	LaTourette	Smith (TX)
Crapo	Lazio	Smith, Linda
Cubin	Lewis (CA)	Snowbarger
Davis (VA)	Lewis (KY)	Solomon
Deal	Linder	Souder
DeLay	Lipinski	Spence
Diaz-Balart	Livingston	Stearns
Dickey	Lucas	Stump
Doolittle	Manzullo	Sununu
Pascrill	McCollum	Talent
Pastor	McCrery	Tauscher
Payne	McDade	Tauzin
Pelosi	McHale	Taylor (MS)
Pickett	McInnis	Taylor (NC)
Pomeroy	McIntosh	Thomas
Poshard	McKeon	Thornberry
Price (NC)	Metcalf	Tihart
Rahall	Miller (FL)	Upton
Rangel	Ewing	Walsh
Reyes	Fawell	Wamp
Rivers	Foley	Watkins
Rodriguez	Moran (KS)	Watts
Roemer	Fossella	Weldon (PA)
Rothman	Fowler	Wells
Royal-Allard	Fox	Weller
Rush	Franks (NJ)	White
Sanchez	Frelinghuysen	Northup
Sanders	Gallegly	Norwood
Sandlin	Ganske	Whitfield
Sawyer	Gekas	Nussle
Schumer	Gibbons	Oxley
Scott	Gilchrest	Packard
Serrano	Hastings (FL)	Pappas

NOT VOTING—12

Cooksey	Hastings (FL)	Radanovich
Cunningham	Leach	Torres
Gonzalez	McNulty	Weldon (FL)
Green	Moakley	Wise

□ 1209

Mr. BATEMAN, Mr. FAWELL, and Mrs. ROUKEMA changed their vote from "yea" to "nay."

Messrs. GUTIERREZ, JOHNSON of Wisconsin, and WYNN changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. RADANOVICH. Mr. Speaker, on rollcall No. 242, I was inadvertently detained. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. LEACH. Mr. Speaker, on rollcall No. 242, I was inadvertently detained. Had I been present, I would have voted "yea."

The SPEAKER pro tempore (Mr. NEY). The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RANGEL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 225, nays 197, not voting 12, as follows:

[Roll No. 243]

YEAS—225

Aderholt	Foley	Manzullo
Archer	Forbes	McCollum
Armey	Fossella	McCrery
Bachus	Fowler	McDade
Baker	Fox	McHale
Ballenger	Franks (NJ)	McInnis
Barr	Frelinghuysen	McIntosh
Bartlett	Gallegly	McKeon
Barton	Ganske	Metcalf
Bass	Gekas	Mica
Bereuter	Gibbons	Miller (FL)
Bliley	Gilchrest	Moran (KS)
Blunt	Goodlatte	Moran (VA)
Boehner	Goodling	Myrick
Bonilla	Goss	Nussle
Bono	Graham	Nussle
Brady (TX)	Granger	Oxley
Bryant	Greenwood	Packard
Bunning	Gutknecht	Pappas
Burr	Hall (OH)	Parker
Burton	Hall (TX)	Paxon
Buyer	Hansen	Hastert
Callahan	Hastings (WA)	Peterson (PA)
Calvert	Hayworth	Petri
Camp	Hefley	Pickering
Campbell	Herger	Pitts
Canady	Hill	Pombo
Cannon	Hilleary	Porter
Castle	Hobson	Portman
Chabot	Hoekstra	Pryce (OH)
Chambliss	Horn	Quinn
Chenoweth	Hostettler	Radanovich
Christensen	Hulshof	Ramstad
Clement	Hunter	Redmond
Coble	Hutchinson	Regula
Coburn	Hyde	Riggs
Collins	Inglis	Riley
Combest	Istook	Rogan
Cook	Jenkins	Rogers
Cox	John	Rohrabacher
Crane	Johnson, Sam	Ros-Lehtinen
Crapo	Jones	Roukema
Cubin	Kasich	Royce
Cunningham	Kelly	Ryun
Danner	Kim	Salmon
Davis (VA)	King (NY)	Sanford
Deal	Kingston	Saxton
DeLay	Klug	Scarborough
Diaz-Balart	Knollenberg	Schaefer, Dan
Dickey	Kolbe	Schaffer, Bob
Doolittle	LaHood	Sensenbrenner
Dreier	Largent	Shadegg
Duncan	Latham	Shaw
Dunn	LaTourette	Shays
Ehlers	Lazio	Shimkus
Ehrlich	Lewis (CA)	Shuster
Emerson	Lewis (KY)	Skeen
English	Linder	Smith (MI)
Ensign	Lipinski	Smith (NJ)
Everett	Livingston	Smith (OR)
Ewing	Lucas	Smith (TX)

Smith, Linda	Tauzin	Watkins
Snowbarger	Taylor (MS)	Watts (OK)
Solomon	Taylor (NC)	Weldon (PA)
Souder	Thomas	Weller
Spence	Thornberry	White
Stearns	Thune	Whitfield
Stump	Tiahrt	Wicker
Sununu	Upton	Wolf
Talent	Walsh	Young (AK)
Tauscher	Wamp	Young (FL)

NAYS—197

Abercrombie	Gutierrez	Oberstar
Ackerman	Hamilton	Obey
Allen	Harman	Olver
Andrews	Hefner	Ortiz
Baesler	Hilliard	Owens
Barcia	Hinchey	Pallone
Barrett (NE)	Hinojosa	Pascrall
Barrett (WI)	Holden	Pastor
Bateman	Hooley	Paul
Becerra	Houghton	Payne
Bentsen	Hoyer	Pelosi
Berman	Jackson (IL)	Peterson (MN)
Berry	Jackson-Lee	Pickett
Blagojevich	(TX)	Pomeroy
Blumenauer	Jefferson	Poshner
Boehlert	Johnson (CT)	Price (NC)
Bonior	Johnson (WI)	Rahall
Borski	Johnson, E. B.	Rangel
Boswell	Kanjorski	Reyes
Boucher	Kaptur	Rivers
Boyd	Kennedy (MA)	Rodriguez
Brady (PA)	Kennedy (RI)	Roemer
Brown (CA)	Kennelly	Rothman
Brown (FL)	Kildee	Royal-Allard
Brown (OH)	Kilpatrick	Rush
Capps	Cardin	Sabo
Carson	Klein	Sanchez
Clay	Kucinich	Sanders
Clayton	LaFalce	Sandlin
Clyburn	Lampson	Sawyer
Condit	Lantos	Schumer
Conyers	Lee	Scott
Costello	Levin	Serrano
Coyne	Lewis (GA)	Sherman
Cramer	LoBiondo	Sisisky
Cummings	Lofgren	Skaggs
Davis (FL)	Lowe	Skelton
Davis (IL)	Luther	Slaughter
DeFazio	Maloney (CT)	Smith, Adam
DeGette	Maloney (NY)	Snyder
Delahunt	Manton	Spratt
DeLauro	Markay	Stabenow
Deutsch	Martinez	Stark
Dicks	Mascara	Stenholm
Dingell	Matsui	Stokes
Dixon	McCarthy (MO)	Strickland
Doggett	McCarthy (NY)	Tanner
Dooley	McDermott	Thompson
Doyle	McGovern	Thurman
Edwards	McHugh	Tierney
Engel	McIntyre	Towns
Eshoo	McKinney	Traficant
Eshoo	Meehan	Turner
Fazio	Meek (FL)	Velazquez
Fattah	Farr	Vento
Fazio	Menendez	Visclosky
Filner	Millender	Waters
Ford	McDonald	Watt (NC)
Frank (MA)	Miller (CA)	Waxman
Frost	Minge	Wexler
Furse	Mink	Weygand
Gejdenson	Mollohan	Woolsey
Gephart	Morella	Wynn
Gilman	Murtha	Yates
Gordon	Nadler	
	Neal	

NOT VOTING—12

Baldacci	Hastings (FL)	Sessions
Cooksey	Leach	Torres
Gonzalez	McNulty	Weldon (FL)
Green	Moakley	Wise

□ 1219

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. LEACH. Mr. Speaker, on rollcall No. 243, I was inadvertently detained. Had I been present, I would have voted "yea."

ANNOUNCEMENT REGARDING CONSIDERATION OF AMENDMENTS TO LEGISLATIVE BRANCH APPROPRIATIONS BILL

(Mr. SOLOMON asked and was given permission to address the House for 1 minute.)

Mr. SOLOMON. Mr. Speaker, I would like to make two announcements. The first announcement is that there probably will not be a vote on the floor for another hour.

Secondly, the Committee on Rules is planning to meet next week to grant a rule which may limit the amendments offered to the Legislative Branch Appropriations Bill.

Members who wish to offer amendments to the bill as ordered reported by the Committee on Appropriations. Copies of the text will be available for examination by Members and staff in the offices of the Committee on Appropriations in H-218 of the Capitol.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

Any offset amendments should be scored by the Congressional Budget Office, and Members ought to listen to that, to ensure compliance with clause 2(f) of rule XXI, which requires that they not increase the overall levels of budget authority and outlays in the bill. Otherwise, those amendments may not be in order.

PROVIDING FOR CONSIDERATION OF H.RES. 463, ESTABLISHING SELECT COMMITTEE ON U.S. NATIONAL SECURITY AND MILITARY/COMMERCIAL CONCERN WITH THE PEOPLE'S REPUBLIC OF CHINA

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 476 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 476

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 463) to establish the Select Committee on U.S. National Security and Military/Commercial Concerns With the People's Republic of China. The resolution shall be considered as read for amendment. The amendment in the