

SEC. 210. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare+Choice program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: *Provided*, That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity's enrollees): *Provided further*, That nothing in this section shall be construed to change the Medicare program's coverage for such services and a Medicare+Choice organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 211. SUBSTANCE ABUSE.—With respect to fiscal year 2001, the amount of an allotment of a State under section 1921 of the Public Health Services Act shall not be less than the amount the State received under such section for fiscal year 2000 increased by 33.33 percent of the percentage by which the amount allotted to the States for fiscal year 2001 exceeds the amount allotted to the States for fiscal year 2000.

SEC. 212. Notwithstanding any other provision of law, no provider of services under title X of the Public Health Service Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

Mr. PORTER. Mr. Chairman, I ask unanimous consent that the remainder of title II of the bill through page 48, line 25, be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 213. None of the funds in this Act or any other Act may be used to obligate funds for the National Institutes of Health in excess of the total amount identified for this purpose for fiscal year 2001 in the President's budget request (H. Doc 106-162): *Provided*, That none of the funds made available for each Institute, Center, Office, or Buildings and Facilities shall be reduced below the amounts shown in the budget request column of the table printed in the report accompanying the bill making appropriations for the Departments of Labor, Health and Human Services, Education, and Related Agencies for fiscal year 2001.

AMENDMENT NO. 13 OFFERED BY MS. PELOSI

Ms. PELOSI. Mr. Chairman, I offer Amendment No. 13.

The CHAIRMAN. Is the gentlewoman from California a designee of the gentleman from Wisconsin (Mr. OBEY)?

Ms. PELOSI. Yes, I am, Mr. Chairman.

Mr. PORTER. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Ms. PELOSI:
Page 49, strike line 1 through 12 (section 213).

The CHAIRMAN. Pursuant to the order of the House of Thursday, June 8, 2000, the gentlewoman from California (Ms. PELOSI) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am introducing this amendment to add \$1.7 billion to the NIH budget. That would bring us to an increase of \$2.7 billion in this bill, which will keep us on track for doubling NIH budget in 5 years.

The distinguished chairman of our committee, the gentleman from Illinois (Mr. PORTER), has long been a champion and advocate for the National Institutes of Health. It is a sad thing then to see in this bill that we cannot stay on track.

Why can we not? We cannot stay on track because of the bad budget numbers that have reduced a bad result in this bill, as I said, when we talked about this during general debate, when they asked the question why do so many excellent mathematicians come out of MIT, because so many good mathematicians go into MIT.

Why, conversely, do so many bad results come out of this appropriations process? Because a bad budget bill went into this appropriations process, because that budget agreement, that budget bill insists on a huge tax cut for the wealthiest Americans.

If the majority were willing to cut that tax break for the wealthiest 1 percent in our country by 20 percent, we would have more than enough money to cover all of the amendments that we are talking about in the course of this debate on this legislation; whether it deals with afternoon childcare or worker training or increasing the funding at the National Institutes of Health; whether we are talking about having more funds available to stop substance abuse in our country.

The list goes on and on, but who benefits instead? The wealthiest 1 percent in our country. Indeed, that same wealthiest 1 percent would benefit from increased investments at the National Institutes of Health. Members all know that the National Institutes of Health almost has a biblical power to cure every person in America, rich or poor, who is one episode, one diagnosis, one accident away from needing access to excellent health care. The research at the National Institutes of Health can find cures.

We have far more scientific opportunity and applications for excellent grants than we are able to meet with appropriate funding. Mr. Chairman, again, the gentleman from Illinois (Mr. PORTER) and the gentleman from Wisconsin (Mr. OBEY) have both been long-time champions of increased funding at NIH, but that cannot happen in this bill, sad to say.

In fact, in the bill before us it says that we have a \$2.7 billion increase, recognizing the need that my amend-

ment spells out; yet a provision in the back of the bill limits the amount appropriated each of the accounts to the level requested by the President.

I will have more to say on this, Mr. Chairman, after we hear from some of our other colleagues.

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

The CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. SESSIONS) assumed the Chair.

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MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. McDevett, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

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DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

The Committee resumed its sitting.

The CHAIRMAN. Does the gentleman from Illinois (Mr. PORTER) rise in opposition?

Mr. PORTER. Mr. Chairman, I rise in opposition.

The CHAIRMAN. The gentleman from Illinois is recognized for 15 minutes.

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as I said to the gentlewoman from California (Ms. PELOSI) in full committee markup of this bill, this amendment, of course, tests my resolve more than any other of your theme amendments.

I consider the funding for NIH to be of the highest priority I would very much have liked to put into this bill the full 15 percent increase that I believe is necessary and proper. Such funding is among the best spent money in government to continue on our path of doubling NIH over a 5-year period. Unfortunately, the allocation was not sufficient to do so.

We have in the bill a limitation to limit the obligation to the President's budget, which is a \$1 billion increase less the cap and comes out to probably 4 percent to 5 percent, rather than the 15 percent that we favor.

However, the gentlewoman has just used this amendment to make a number of political points, and I would simply say to the gentlewoman she ought to look at the history of funding for NIH. It indicates that the President of the United States has put this at a very, very low priority in all of his budgets for the last 5 years, while the majority party has put it at a very, very high priority.

Congress has provided a total of \$7.8 billion in cumulative increases for NIH as opposed to the \$4.3 billion requested by the President over the last 5 years. We have put NIH on a funding path to

double its level in 5 years, we have made two down payments and are committed, within the fiscal responsibility, to making the third payment this year.

We cannot do it within the allocation that we have, but we are committed to making that third payment this year.

I would not say that this was done on a partisan basis. It has been a bipartisan effort. It has been supported by both sides of the aisle. I know, and the gentlewoman from California (Ms. PELOSI) knows that there are more scientific opportunities today. Increased funding can lead to cures for major diseases like Alzheimer's disease Parkinson's disease, forms of cancer, diabetes and a host of other diseases is closer than it ever has been before.

We are doing all that we can to get to achieve the 15% increase, but we are constrained by a budget allocation that is not sufficient to allow us to do it at this point.

I know that the gentlewoman herself is committed to reaching that point. What I do not like to see is making political points. This leads us away from the importance of this funding and makes this seem a political clash.

I would simply point out that we have made great progress. We are committed to making continued progress. We believe that this funding can lead to scientific discovery that will help people who need help. It will lead to longer and more healthy lives for all the American people and, perhaps, all the people in this world. This is the best spent money, because it leads ultimately to driving down health care costs in our society. If we work together, we can achieve a result that we can all be proud of in doubling funding for NIH over a 5-year period.

In the 5 years that I have been chairman, 1995 to now, we have increased funding for NIH by 58 percent. If we can double it this year, we will be at 82 percent over that 6-year period, and I simply believe that this is not the proper context to raise political issues. This is something that all of us are committed to accomplishing.

We have made great progress, and we are very hopeful that we will make the kind of progress that all the American people can be proud of in the end.

Mr. WICKER. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Mississippi.

Mr. WICKER. Mr. Chairman, I thank the gentleman for yielding me the time.

I, too, agree, Mr. Chairman, that it is unfortunate that this debate is being used to make political points. NIH and health research has certainly been something that this committee and this subcommittee has approached on a bipartisan basis. And I must say that the gentleman in the well, the gentleman from Illinois (Mr. PORTER), who is in his last year as subcommittee chairman, is leaving a rich legacy of bipartisanship and also support for real programs for real people, improving their health.

Under his leadership, this subcommittee and this committee have shown their support in terms of the dollars indicated there.

□ 1115

I would like to ask the chairman though about the chart there. Do I understand that the red figures are the cumulative amounts of money proposed by President Clinton in his budget; is that correct?

Mr. PORTER. That is correct.

Mr. WICKER. Mr. Chairman, if the gentleman will yield further, then the large amounts above and beyond that in blue amount to the actual appropriations that we have been able to get through this subcommittee and through the Congress of the United States for the National Institutes of Health?

Mr. PORTER. Yes, the gentleman is correct.

Mr. WICKER. As far as the cumulative increases, since the gentleman from Illinois (Mr. PORTER) has been chairman, the cumulative increases are almost double those requested by the President of the United States?

Mr. PORTER. That is correct.

Mr. WICKER. Finally, let me ask the gentleman, Mr. Chairman, with regard to this appropriation in this bill, which I agree is regrettably low, how does it compare to the amount requested by President Clinton in his budget this year for NIH and health research?

Mr. PORTER. If I understand the gentleman's question correctly, the President requested \$1 billion in increased funding for NIH this year. We have placed in the bill numbers indicating a \$2.7 billion increase, but, then, because of our budget allocation, we have been forced to limit that amount to the President's request.

Mr. WICKER. The amount contained in this bill is precisely what the President requested; is that correct?

Mr. PORTER. Yes.

Mr. BENTSEN. Mr. Chairman, will the gentleman yield for a question regarding his chart?

Mr. PORTER. I yield to the gentleman from Texas.

Mr. BENTSEN. Mr. Chairman, the question I had, and I can barely read it, but the chart starts with fiscal year 1995; is that correct?

Mr. PORTER. That is correct.

Mr. BENTSEN. Does that chart reflect what the appropriations are, or does it reflect concurrent budget resolutions? My question is would that reflect what the fiscal 1995 concurrent budget resolution as adopted by the House and Senate did, which would show a dip of 5 percent?

Mr. PORTER. Mr. Chairman, budget resolutions do not have any effect. They are only advisory. These are appropriations.

Mr. BENTSEN. If the gentleman will further yield, part of the budget allocation we are dealing with today, the fact that the gentleman raised, is the fact that the budget resolution passed by

the House does not provide sufficient allocation to meet the doubling of the NIH, and we had a problem with the budget resolution in fiscal year 1995 as passed by the House and the other body that called for a 5 percent reduction in NIH in real terms.

Mr. PORTER. Mr. Chairman, the gentleman should remember that the only jurisdiction the Committee on the Budget has is to set overall spending numbers. The rest is advisory.

Mr. Chairman, reserve the balance of my time.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1-3/4 minutes to the gentleman from Illinois (Mr. JACKSON), a distinguished member of the subcommittee.

(Mr. JACKSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. JACKSON of Illinois. Mr. Chairman, I thank the gentlewoman for yielding me time.

Mr. Chairman, let me first begin by congratulating the gentleman from Illinois (Mr. PORTER) for what every member of this subcommittee knows to be the truth, that no one in this Congress has had a greater commitment to expanding and increasing NIH funding than the gentleman from Illinois (Mr. PORTER). If the entire House were present during this part of the debate, I would ask at this time for all of them to stand and give the gentleman from Illinois (Chairman PORTER) an outstanding round of applause for his interest and for his commitment and dedication in this area.

I would say to the gentleman from Illinois (Chairman PORTER), we have enormous respect for his efforts in this particular area, and I certainly rise to salute the gentleman.

Let me also indicate that this is the first time since I have been in Congress for 5 years that I am not going to dispute any of the facts that were offered by the majority in the brief demonstration that we had here from the chairman. But I want to make it very, very clear that the gentleman from Illinois (Chairman PORTER), if he had been dealt the appropriate hand in this particular allocation, that we would be looking at increases in NIH consistent with the effort to double resources as consistent with our 5-year objective.

Mr. Chairman, this amendment raises our investment in biomedical research at the National Institutes of Health. Fiscal year 2001 is the 3rd year of this "doubling NIH in 5 years" initiative. For 2 straight years we have agreed to provide NIH the 15 percent increases needed to double the budget. This year, the House fails to do so. Staying on track to double NIH's budget requires a \$2.7 billion increase for fiscal year 2001. The House bill provides the increase, then takes it away in a general provision and reduces that increase to the administration's request.

Mr. Chairman, it is one thing in an era of deficits to say we cannot afford to invest additional resources in these

programs; but now that we are in an era of surpluses, we no longer have that excuse. All we need to do to pay for this amendment is to scale back the size of the tax cut for the wealthy by 20 percent. We can leave the middle-class tax cuts alone, just scale back the tax cuts for the individuals at the top 1 percent; and we can do just that.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the gentlewoman from California (Mrs. CAPPS), a member of the Committee on Commerce, an expert on health issues, and a health professional before she came to the Congress.

Mrs. CAPPS. Mr. Chairman, I rise in strong support of the Pelosi amendment, which seeks to increase funding for the National Institutes of Health. I commend the committee and Congress for the commitment that has been made to double the NIH budget in 5 years specifically by providing necessary 15 percent increases in appropriations each year. But this year, we are going off track. Our budget is throwing us off our 5-year track.

Mr. Chairman, there is not a family in this country that does not feel the promise and the hope of the research that is done under the auspices of the NIH. A year ago it was the deputy director who told my daughter, recently diagnosed with advanced lung cancer, that if she could hold on for 2 years, there was such promising research coming down the pike through NIH.

So many families in this country hold their hope in the research that is done and is spawned by our funding for the NIH. Research in the real life miracle areas of Parkinson's disease, cancer research, Alzheimer's, diabetes, these are situations that people across this country are dealing with on a daily basis. We have established a wonderful track record for funding. We need to keep our resolve now and stick to our promise to double the funding in 5 years.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1½ minutes to the distinguished gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I rise in strong support of this amendment to provide a \$1.7 billion increase to the NIH in order to keep us on track to double its budget by 2004.

Mr. Chairman, the last century will be remembered as the century in which we eradicated polio, developed gene therapy, and discovered some treatments for breast cancer. At the center of this research has been the NIH.

NIH funded scientists have learned how to diagnose, treat and prevent diseases that were once great mysteries. The decoding of the human genome, soon to be completed, will lead to yet more opportunities for research that will revolutionize how we look at and treat diseases. Our efforts will shift increasingly to the genetic level, where we will learn to cure diseases now untreatable.

We should not abandon our commitment to double the NIH budget in 5

years. Let this new century see humanity vanquish cancer and heart disease and genetic diseases and AIDS. Let us not start reversing that goal now. We are now the most prosperous society in the history of this planet. We have unparalleled budget surpluses. We should not deny medical research the funds it needs because of artificial budget restraints in an artificial and politically motivated budget resolution.

In the names of the thousands, perhaps millions of people whose lives will be prolonged and saved by adoption of this amendment, I urge its adoption.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the very distinguished gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Chairman, I offered this same amendment when the House Committee on the Budget marked up the budget resolution, and I was told at the time that we had put enough money into NIH, that this year we just could not do it.

It is ironic that a few weeks ago we passed the China PNTR bill because we wanted to gain access to more markets where we have a comparative advantage. In the world of medical research, where the United States leads the world and has a comparative advantage, we do not want to provide the resources to do that. I know the gentleman from Illinois (Chairman PORTER) wants to do it, but he is constrained by the budget.

How can a sophisticated, mature economy like the United States not provide the resources that are necessary? It is all part of this budget fallacy, because the Chairman well knows that the Senate is going to mark up the full amount and we will go to conference and we will do it. But we are living under artificial constraints by a budget resolution that is not going to hold water at the end of the year. We should do the right thing today, adopt the gentlewoman's amendment, and move forward where we do enjoy a comparative advantage and bring these cures to the American people, because we know we can do it.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO), a distinguished member of the Subcommittee on Labor, Health and Human Services and Education of the Committee on Appropriations, and a person who is an expert on health policy.

Ms. DELAURO. Mr. Chairman, I rise in strong support of the amendment offered by the gentlewoman from California (Ms. PELOSI). I support a strong national investment in biomedical research. The reason being is that I am alive today due to the advancements in biomedical research. I am a 15 year survivor of ovarian cancer. I know how it feels to be the person behind the statistics.

We are on the brink of tremendous breakthroughs in cancer and many other areas. We have committed ourselves as a Congress to doubling the funding for the NIH over the next 5 years. Why then would we want to fall short of that goal this year?

All the gentlewoman from California (Ms. PELOSI) is asking for is the \$1.7 billion that will allow us to get to meeting that goal this year, and the trade-off is, the trade-off is, a tax cut that is going to only benefit the most wealthy people in this country. The lives, the health, the safety of American people all over this country is not to be traded away, not to be traded away, because of a tax cut that will only benefit the wealthiest.

Mr. PORTER. Mr. Chairman, I am happy to yield 3½ minutes to the gentleman from California (Mr. CUNNINGHAM), a very, very strong supporter of NIH and biomedical research.

Mr. CUNNINGHAM. Mr. Chairman, the gentlewoman well knows that I am a champion for medical research. I have got a goal. My daughter scored a perfect 1600 on her SATs this year as a senior at Torrey Pines. She is going to intern in cancer research at NIH this summer.

I am a cancer survivor. There is nothing worse than a doctor looking you in the eye and saying, "Duke Cunningham, you have got cancer."

I am a survivor. And if the gentlewoman would have offsets in this, I would be with her in this amendment. I would hope in conference we can add to this and somehow come up with the additional dollars in this.

Unfortunately, the politics in this, that is being shown in all these amendments, is what is discouraging, because the gentlewoman, the ranking minority member, Democrats and Republicans, have come together on NIH funding to support it, and I still hope in some way we can add these particular dollars down the line.

In cancer, Dr. Klausner, and you see what he is doing at NIH, I would say I was saved because of a PSA test. Do you know that right now, because of this research, there are markers for ovarian cancer which we have never had before? Women had no markers in this.

I met a gentleman at NIH that contacted HIV in 1989. The only thing he ever thought about was dying. And now he has hope. He has bought an apartment. He has even bought stocks. This is what we are talking about when we talk about NIH funding.

□ 1130

If the gentlewoman would offer offsets on this, we would support it. She is right. But I want to tell the Members, fiscal responsibility down the line, where we balance the budget and we pay off the national debt as soon as 2012, we spend \$1 billion a day, a day, \$1 billion a day on just the interest. Think what we are going to have in the future for the Americans for education,

for crimefighting, for NIH, just by keeping our fiscal house in constraint.

The death tax that we passed, a little bit out of touch, saying tax break for the rich, passed on a bipartisan vote; the social security tax that my colleagues put in in 1993 we eliminated, a little bit out of touch by saying that is a tax break for the rich; taking a look at the marriage penalty for people who are married, that is sure not a tax break for the rich.

My colleagues on the other side wish to politicize this and say, tax break for the rich. I think some people actually believe that, after saying it 10,000 times, someone is going to believe it. It is just not so.

Let us come together and support this NIH increase in conference, if there is some way we can do it, and work in a bipartisan way on this particular issue.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 1 minute to the gentlewoman from New York (Mrs. LOWEY), another distinguished member of our Subcommittee of Labor, Health and Human Services, and Education.

Mrs. LOWEY. Mr. Chairman, I thank the gentlewoman for yielding time to me.

Mr. Chairman, I rise in strong support of the Pelosi amendment.

Over the last 2 years, with the strong leadership of the gentleman from Illinois (Chairman PORTER) and broad bipartisan support, we have made tremendous progress in our goal of doubling the NIH budget.

Dr. Kirschstein and the Institute directors have done an outstanding job of describing how they have managed large increases and used them to fund good science.

We have to continue our bipartisan effort to increase funding for biomedical research. Whether it is breast cancer, diabetes, autism, or heart disease, we have made real progress towards better understanding and treatment.

My good friends are saying this is politics. They are right. What politics is about is making wise decisions. We have that choice. We can have a smaller tax cut and invest in the National Institutes of Health, and invest in the continued extraordinary challenges that are ahead of us.

We have the opportunity on our subcommittee in this Congress to face the extraordinary challenges in health care ahead. Let us do it. Let us do it now. Let us support the Pelosi amendment.

Ms. PELOSI. Mr. Chairman, I am very, very pleased to yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY), the very distinguished ranking member of our subcommittee and the ranking member of the full Committee on Appropriations, who, along with the gentleman from Illinois (Mr. PORTER), has been a champion for increased funding at the National Institutes of Health.

Mr. OBEY. Mr. Chairman, I thank the gentlewoman for yielding time to me.

Mr. Chairman, the issue is not what the Congress and the President did on this issue in the last decade. The issue is what we are going to do in the next decade.

This bill appropriates \$2.7 billion above last year to the National Institutes of Health. But then it has a provision in the bill which says it can only spend \$1 billion of that, so the committee has it both ways. It can say yes, we have provided \$1.7 billion when they pull this piece of paper out of their pocket, and then they go to the other pocket and say, oh, no, we did not spend that much money, we held the budget down.

The result of this budget is that it cuts \$439 million below current services, and that means that it reduces the new and competing grants that go out to scientists to do research on cancer, Alzheimer's, diabetes, and everything else, by about 15 percent.

In real terms, this bill is a reduction from last year. A lot of people on that side of the aisle keep saying, well, this is just the second step in the process. Do not worry, down the line we are going to try to fix this.

What we are saying is that it makes no sense for them to say, well, at some point somebody else is going to be responsible. We are asking the majority side to be responsible now. They keep talking about fiscal responsibility.

Two weeks ago I was at Marshfield Clinic in my district. I had a number of senior citizens talk to me about the miracles that had occurred when they had strokes that disabled them, and they were able to recover from those strokes because of new medical research.

My question to them and my question to the Members today is this: What is more important to this country, to have more success stories like that, more success stories, like the gentleman from California (Mr. CUNNINGHAM), or instead to continue the path that the majority party has been following in providing huge tax cuts, with over 70 percent of the benefits aimed at the wealthiest 1 percent of people in this society?

Members gave away in the minimum wage bill \$90 billion in tax cuts to people who make over \$300,000 a year. All we are saying is they could finance this amendment on health care, they could finance our amendment on education, on child care, on all the rest if they simply cut back what they are providing in those tax packages by 20 percent. Leave the middle-income tax cuts in place, just take the tax cuts that they are providing for the high rollers, cut them back by 20 percent, and they can meet all of these needs.

It is not enough to have budgets at last year's level, or around last year's level. This is a growing country. It is a growing population. We have new medical discoveries. Every time we make a new medical discovery, we ought to build on it, not use it as an excuse to slack off. That is what we are saying.

To me it is outrageous that this amendment cannot even get a vote on the floor of the House today.

Ms. PELOSI. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I thank the Chair for presiding over this very respectful, I think, debate. We have acknowledged the leadership of our chairman and our ranking member in supporting the highest possible funding levels for the National Institutes of Health.

We have recognized that despite the priority that the gentleman from Illinois (Chairman PORTER) gives to the National Institutes of Health, that the budget allocation does not allow him to put the additional \$1.7 billion in the bill which keeps us on track of doubling the NIH budget in 5 years.

Members have shared their personal stories about themselves and their children, and pointed to the need for us to invest in this research. There is no argument about that. But when Members say that we are politicizing this debate by saying because we have a tax cut because we cannot afford this funding level for NIH, they are being political.

The fact is, bad budget numbers necessitate a bad appropriation. If we did not have the tax cut, we could afford the NIH funding. It is that simple. That kind of decision is what people send us to Congress to make. We must recollect the values of the American people, which say that it is a good investment to invest in basic biomedical research. It saves lives. It adds to the productivity and the quality of our lives.

This is the most fiscally sound vote a Member can make is to invest further in the National Institutes of Health to save lives, to create jobs in the biomedical industry, and to help us balance our budget by having less money have to be put out because of illness, loss of work days by people who become sick or disabled.

I urge my colleagues to think in a fiscally sound way and support the additional appropriation for the National Institutes of Health.

Mr. PORTER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I am very sorry and I think it is very ill-advised that this subject has been raised in this political context. The work to raise NIH funding over the last 5 years has been bipartisan, and I am sorry that it is being used as a point of departure to make a political point. It constrains me to have to make a political point, as well.

The minority party was in charge of this House for many, many years. During the previous 5 years the minority was in charge, and President Clinton was also in charge. If we look at the commitment made for increasing funding for biomedical research during that period of time and compare it to the last 5 years when the majority party has been in control of the Congress, I think we can easily see that we have placed this at a far higher priority.

To me, however, this is not a political matter and should not be raised in a political context. This is a matter that is of utmost importance to our country and to its people. As I said earlier, this is among the best funding anywhere in government, and we should continue to work together on a bipartisan basis to increase it.

However, to propose such increases is easy when you do not have responsibility for any constraints and can spend whatever you want to spend, which is basically what all these amendments do. They say, "here is what we ought to do."

We cannot do that. We do not have that luxury. We are the majority party and responsible for the bottom line. We have to live within a budget resolution that was adopted by the majority of the Congress.

So we do the best that we can within that context. We have done the best we can. I would much rather we had a 15 percent increase in the bill for NIH. Unfortunately, we simply do not have the funds to do that. We intend, in this process, to achieve that priority and hopefully we will get there, but it is easy simply to say, well, we ought to spend more money in this area.

This is an important area. Sure, we would like to provide a 15 percent increase, but in the end, somebody has to be responsible for the overall spending of this government and to live within fiscal restraints. We are taking that responsibility, and we are doing the very best that we can within it.

I believe very strongly, and I think the gentlewoman believes very strongly, that in the end we will reach our goal of doubling NIH and providing the third year of a 15 percent increase to get there.

Ms. ESHOO. Mr. Chairman, I rise in support of the amendment by my good friend and colleague from California, NANCY PELOSI. This amendment increases NIH funding by \$2.7 billion and would restore the funding level to the amount the Congress agreed to two years ago when it decided to double the NIH budget within five years.

Mr. Chairman, this amendment is truth-in-budgeting legislation. In 1998, and again in 1999, this Congress decided it was critical the National Institutes of Health be funded at a level which doubled the NIH budget by Fiscal Year 2003. Now we are in year three and this appropriations bill seeks to back off from that promise.

Let me remind my colleagues why we decided to double the NIH budget. According to a Joint Economic Committee report issued just last week, 15 of the 21 most important drugs introduced between 1965 and 1992 were developed using knowledge and techniques from federally funded research.

If the Pelosi amendment does not pass, the funding cuts in this bill mean there will be 1,309 fewer federal research grants. Mr. Chairman, my district has the largest concentration of biotechnology companies in the world. The scientific advancements they are working on are moving at revolutionary speed. We cannot afford to cut back on the groundbreaking work they are doing.

The need for increased research grants at NIH has never been greater. Infectious diseases pose a significant threat as new human pathogens are discovered and microorganisms acquire antibiotic resistance. In today's Washington Post, the front page story was about a World Health Organization report which said that disease-causing microbes are mutating at an alarming rate into much more dangerous infections that are failing to respond to treatment.

Mr. Chairman, in the story the WHO warned . . . that the world could be plunged back into the preantibiotic era when people commonly died of diseases that in modern times have been easily treated with antibiotics.

A WHO official said,

The world may only have a decade or two to make optimal use of many of the medicines presently available to stop infectious diseases. We are literally in a race against time to bring levels of infectious disease down worldwide, before the disease wears the drugs down first.

Mr. Chairman, we need NIH to join in this battle before time runs out.

And speaking of time running out, the number of Americans over age 65 will double in the next 30 years. What are we going to do to fight the diseases of the elderly? Also, the threat of bioterrorism—once remote—is now a probability.

Mr. Chairman, our purpose for a sustained funding track for NIH was so that the multi-year process for NIH grantmaking was well planned and spent federal funds efficiently. This amendment by my colleague, NANCY PELOSI, achieves that objective.

More importantly, the Pelosi amendment keeps a congressional promise. Last March, over 108 Members on both sides of the aisle signed a letter urging a \$2.7 billion increase in the NIH budget. The Pelosi amendment would provide that increase. It is the third installment on a bipartisan plan to double the NIH budget by 2003.

I thank my colleague, NANCY PELOSI, for offering this amendment, and I compliment her on her leadership and her tireless efforts to improve the health of this country. I urge my colleagues to join her and support this amendment.

The CHAIRMAN. All time has expired on this amendment.

POINT OF ORDER

Mr. PORTER. Mr. Chairman, I make a point of order against the amendment because it is in violation of Section 302(f) of the Congressional Budget Act of 1974.

The Committee on Appropriations filed a suballocation of budget totals for fiscal year 2001 on June 8, 2000, House Report 106-660. This amendment would provide new budget authority in excess of the subcommittee's suballocation made under Section 302(b), and is not permitted under section 302(f) of the Act.

I would ask a ruling of the Chair.

The CHAIRMAN. Are there other Members who wish to be heard on the point of order?

Ms. PELOSI. Yes, Mr. Chairman.

The CHAIRMAN. The gentlewoman from California (Ms. PELOSI) is recognized.

Ms. PELOSI. Mr. Chairman, the distinguished chairman lodged a point of

order on the basis that this is outside the budget allocation. On that score, he may be correct. But the fact is that despite the expressions of priority for the funding at the National Institutes of Health, which the chairman has very sincerely made and others have made in this Chamber, we had other choices in this bill.

In fact, if this is of the highest priority, why was it not given the same status that other Republican priorities are given in this bill?

As we know, there is a \$500 million budget adjustment to accommodate \$500 million of other spending in this bill. That could have been done for this \$1.7 billion and we could have ensured, guaranteed, given peace to the American people that their health and that the research to ensure it to be protected.

Instead, the only thing protected in this bill is the tax break for the wealthiest people in America. That is the decision that Members have to make. It is not about this being fiscally responsible. We all want to be that. Indeed, our alternative Democratic budget resolution had this \$1.7 increase and it was fiscally responsible.

Two things, Mr. Chairman. Because the distinguished chairman has said he is calling a point of order because this is beyond the allocation of the budget, it could be protected just the way this other funding had a lifting of the budget, had an adjustment of the budget figure.

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Secondly, I would say that if we are not going to go down that path then it is not the priority we say it is, and we have to answer to the American people for that.

Technically, on the point of order, the rule protects the wealthiest 1 percent at the expense of the National Institutes of Health, and I concede the point of order.

Mr. PORTER. Mr. Chairman, can I be heard further on the point of order?

The CHAIRMAN. The gentleman from Illinois (Mr. PORTER) is recognized.

Mr. PORTER. Mr. Chairman, I would simply respond to the gentlewoman that she had every opportunity to make those choices by offering an amendment within the rules that would have taken money from lower priority accounts and put it in this account if that was her desire. She did not take that opportunity to operate within the bounds of fiscal restraint and has simply offered an amendment without any offset, which is clearly out of order.

The CHAIRMAN. The Chair is prepared to rule.

Ms. PELOSI. Mr. Chairman, if I may, since the gentleman characterized my remarks, if I may?

The CHAIRMAN. Very briefly the gentlewoman from California may respond.

Ms. PELOSI. Mr. Chairman, the distinguished gentleman knows that I had

no opportunity to have an offset of the \$1.7 billion. All I am saying is give this the same treatment as has been given to other Republican priorities by making a budget cap adjustment so that this can be afforded in this bill.

The CHAIRMAN. The gentlewoman from California (Ms. PELOSI) has conceded the point of order, but the Chair would say that he is authoritatively guided by an estimate of the Committee on the Budget, pursuant to section 312 of the Budget Act, that an amendment providing any net increase in new discretionary budget authority would cause a breach of the pertinent allocation of such authority.

The amendment offered by the gentlewoman from California, by proposing to strike a provision scored as negative budget authority, would increase the level of new discretionary budget authority in the bill. As such, the amendment violates section 302(f) of the Budget Act.

The point of order is therefore sustained. The amendment is not in order.

AMENDMENT NO. 4 OFFERED BY MR. ANDREWS

Mr. ANDREWS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. ANDREWS:
Page 49, after line 12, insert the following new section:

SEC. 214. The amounts otherwise provided by this Act are revised by reducing the amount made available for "DEPARTMENT OF HEALTH AND HUMAN SERVICES—OFFICE OF THE SECRETARY—GENERAL DEPARTMENTAL MANAGEMENT", and increasing the amount made available for "HEALTH RESOURCES AND SERVICES ADMINISTRATION—HEALTH RESOURCES AND SERVICES" (to be used for a block grant to the Inner City Cardiac Satellite Demonstration Project operated by the State of New Jersey, including creation of a heart clinic in southern New Jersey), by \$40,000,000.

Mr. PORTER. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Illinois (Mr. PORTER) reserves a point of order on the amendment.

Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from New Jersey (Mr. ANDREWS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me begin by expressing my appreciation to the gentleman from Illinois (Mr. PORTER) and the gentleman from Wisconsin (Mr. OBEY) for the fair and even-handed way in which they handled this matter procedurally. Those of us who wish to offer these amendments very much appreciate the expansiveness of the time agreement, the fairness of it, and I wanted to say that for the record this morning.

Let me also say the purpose of this amendment is a commendation and a challenge. In the area of commendation, it is to commend the gentleman from Illinois (Mr. PORTER), the gentleman from Wisconsin (Mr. OBEY), and all the members of this subcommittee for the attention they have paid and the commitment they have made to the health care of the people of this country, in particular, the issue of our struggling urban hospitals.

I represent the City of Camden, New Jersey, which by just about any measure is one of the poorest cities in the United States of America. We are fortunate to have a number of health care institutions in the City of Camden which remain, despite very difficult economic conditions. One of the consequences of their continued commitment to a poor urban area is that they carry a disproportionate share of the burden of caring for the uninsured or for those whose care is not fully compensated by Medicaid or other public programs.

In New Jersey, we have undertaken a rather creative and progressive way to try to address this imbalance. New Jersey has decided to create a special opportunity for urban hospitals to operate heart hospitals or heart clinics, cardiac services, in more affluent suburban areas. The strategy is rather wise and simple. The revenues that would be gained from operating these heart facilities in more affluent areas would recapture dollars which could then be used to help offset and subsidize the cost of providing care for the uninsured and for persons for whom the compensation is not sufficient in the poor urban areas. It is a wise strategy.

The challenge that I would offer, however, is what comes to what I believe is New Jersey's incomplete execution of this strategy. The original plan in our State was that there be two of these demonstration projects, one in the northern part of our State and one in the southern part of the State, which I am privileged to represent. For reasons which are not clear to me, and not clear to the health care institutions in southern New Jersey, only one of these pilot programs has gone forward. I believe that this is a mistake.

The purpose of this amendment is to provide a Federal opportunity, a Federal subsidy, for this pilot program to go forward both in the southern part of our State and in the northern part of our State.

I believe that the problems in our part of New Jersey are at least as acute, at least as difficult, as those of our northern neighbors and the proper position for our State health department is to provide for a second pilot project in the southern part of our State.

The purpose of this amendment is to offer an idea for a Federal share or a Federal partnership in making that pilot program succeed.

Now having said that, because the committee has been so progressive and

wise in promoting the interests of urban hospitals, it is my intention to ask unanimous consent to withdraw this amendment after my colleagues have had a chance to comment on it.

Mr. Chairman, with that in mind, after making this statement, I would reserve the balance of my time.

POINT OF ORDER

Mr. PORTER. Mr. Chairman, I make a point of order against the amendment because it provides an appropriation for an unauthorized program and therefore violates clause 2 of rule XXI. Clause 2 of rule XXI states in pertinent part an appropriation may not be in order as an amendment for an expenditure not previously authorized by law.

Mr. Chairman, the authorization for this program has not been signed into law. The amendment, therefore, violates clause 2 of rule XXI, and I would ask for a ruling from the Chair.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. ANDREWS. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

Mr. STEARNS. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Is the gentleman offering an amendment?

Mr. STEARNS. I am going to offer an amendment. Also, Mr. Chairman, I wanted to have a colloquy with the gentleman from Illinois (Mr. PORTER).

The CHAIRMAN. Does the chairman designate the gentleman to strike the last word?

Mr. PORTER. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman from Florida (Mr. STEARNS) is recognized for 5 minutes.

Mr. STEARNS. Mr. Chairman, I intend to offer an amendment to move \$10 million into the Adoption Incentives Program. I decided not to offer that amendment today, but I would like to engage in a colloquy with the gentleman from Illinois (Mr. PORTER) regarding the importance of funding this program.

Mr. Chairman, the Adoption Incentives Program has helped to dramatically increase a number of children adopted out of foster care. I certainly appreciate all the good work he has done in the Labor, Health, and Human Services appropriations bill, including the \$2 million increase for the Adoption Incentives Program.

I would like to ask the gentleman to continue his hard work in conference and build on this program by further increasing funding for this program.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. STEARNS. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I thank the gentleman from Florida (Mr.

STEARNS) for highlighting the importance of the Adoption Incentives Program. I will continue to work with him and with my colleagues in conference to ensure States receive the funding they need to help more kids move from foster care to permanent and loving, caring homes.

Mr. STEARNS. I thank the chairman. I appreciate his commitment to providing more money for adoption. I strongly support the positive steps Congress has taken in this area and believe we should do even more. That is why I am here this morning. President Clinton supports increasing funding for this program. Adoption is also a positive alternative to abortion, and I hope the gentleman is successful in finding additional money in funding for the Adoption Incentives Program.

AMENDMENT NO. 189 OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 189 offered by Mr. STEARNS:

Page 49, after line 12, insert the following section:

SEC. 214. Amounts made available in this title for carrying out the activities of the National Institutes of Health are available for a report under section 403 of the Public Health Service for the following purposes:

(1) To identify the amounts expended under section 402(g) of such Act to enhance the competitiveness of entities that are seeking funds from such Institutes to conduct biomedical or behavioral research.

(2) To identify the entities for which such amounts have been expended, including a separate statement regarding expenditures under section 402(g)(2) of such Act for individuals who have not previously served as principal researchers of projects supported by such Institutes.

(3) To identify the extent to which such entities and individuals receive funds under programs through which such Institutes support projects of biomedical or behavioral research, and to provide the underlying reasons for such funding decisions.

Mr. PORTER. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Florida (Mr. STEARNS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a sensitive subject. I have a Congressional Research Report here, which I worked with in doing this amendment. My amendment has three components to it. The first identifies and asks NIH to identify amounts that are distributed, given to individuals and corporations seeking funds from the Institute to conduct research. We have had constituents who have applied to NIH and who have been

unable to find out, after great frustration, why they did not get the money. They could not find out who the individual was who got the money, or corporations, and they did not know or find out how much it was. So my amendment, first of all, asks NIH to identify the monies that are given to individuals and also then the amendment asks that they identify the individuals so that we see the money expended, the individuals who received it and then we would like to see some justification for why the NIH gave this money.

Now I have a report from the Congressional Research Service that sort of confirms what my amendment is talking about. It concludes, and I would just like to read the conclusion from this Congressional Research Report, that there is no question that NIH is an esteemed institution that subsidizes biomedical research and is a value to the people the world over, but that does not remove it from its vast agenda and continuing controversy over how the agency should allocate its ever-increasing appropriations.

As a public agency, supported through tax revenues, NIH will, in all likelihood, face even greater scrutiny in the future. That is what my amendment does.

It attempts to bring NIH into the next millennium with more transparency.

I have been a long-time advocate of NIH. In fact, I have supported the idea of doubling its funding over the next 5 years. A lot of universities in Florida, particularly the University of Florida and Florida State, have benefited from NIH research grant money. So I am a great supporter of NIH, but we are talking about Federal tax dollars here, and I am concerned we are not making public the information from grants that NIH has given the individuals, the amount of money provided, and how they made their decisions on these grants.

So I hear in my congressional district in Central Florida from doctors that they have not been able to succeed in getting NIH funding and they do not know why and they have to apply 5, 6, 7 times with no answers. There is just sort of a huge Federal bureaucracy. They say we just need to have much more transparency there.

Let me share what I have learned about the research grants and how these decisions are made. In reviewing steps that could or should be taken by NIH, I discovered that NIH is starting, just starting, to move in the right direction with a peer review process. There are several areas that Congress must look at when assessing NIH approaches and decisions that are made by them and how research dollars are to be spent.

First of all, how effective is its peer review system and the agency's ability to identify proposals with the greatest potential? Another issue is why the agency has not installed an electroni-

cally-based grant application award system. This is pretty basic today. So I urge them to do so. This would be exceedingly beneficial to everybody.

Supporters of NIH, and there are many, including myself, would like to see a greater accountability of the NIH director and to make its planning and budgeting reporting process more open.

In 1998, Mr. Chairman, a report was issued by the Institute of Medicine and the National Academy of Sciences entitled Scientific Opportunities and Public Needs. This report highlighted several issues that needed to be addressed by NIH, including its peer review process. So we have on the books documentation that shows that NIH needs to be more scrupulous in how they award grants and make the information known.

I think NIH's policies and reviews and procedures should be expedited and this amendment simply is saying to NIH, let us have some more transparency and make the number of people, their names available, who the research grants are given to, how much money they were given and in the end what was the process that was used. If this was done, Mr. Chairman, I think this would move this Agency towards this transparency concept I envision.

Mr. Chairman, I have an amendment at the desk. My amendment would require a report to: (1) identify amounts disbursed to enhance competitiveness of entities seeking funds from the Institutes to conduct biomedical and behavioral research; (2) to identify the entities receiving funding, including a separate statement on expenditures for individuals who have not previously served as principal researchers of projects supported by the Institutes; and (3) to provide an explanation for such funding decisions made by the National Institutes of Health to entities seeking funds to conduct biomedical and behavioral research. Money is available under Section 403 (42 U.S.C. 283) of the Public Health Service Act for the purposes of carrying out such a report.

First, I want to say that I am a long-time supporter of NIH because I know how valuable the research being conducted by this illustrious body has been to our nation in finding the causes and cures of diseases. The NIH has and will continue to greatly benefit our nation.

In fact, I am a cosponsor of the resolution to double the NIH budget over a five year period. We are currently in our third year in that effort. There are many fine universities in the State of Florida that benefit from NIH research grant money, including the University of Florida, which I once had the privilege of representing. That being said, however, I have heard from numerous individuals about the difficulties involved in securing research grants through NIH. These are federal tax dollars we are talking about! I am concerned that we are not making these grants available to new graduates who need this important seed money to continue their biomedical and behavioral research in their chosen fields.

We all know that universities and colleges across the country are not having students enter the hard sciences as they once did—we must ensure that those that do are not discouraged from putting their talents to work in

research efforts being conducted by the federal government.

There is a positive note to all this. Let me share with you what I learned about the research project grants and how these decisions are made. In reviewing steps that could or should be taken by NIH, I discovered that NIH is moving in the right direction in its peer review process. There are several areas that Congress must look at when assessing NIH's approach to decisions that are made by them in how research dollars are to be spent. First, how effective is its peer-review system and the agency's ability to identify proposals with the greatest potential. Another issue is why the agency hasn't installed an electronically-based grant application and award system. This would certainly be beneficial.

Supporters of NIH, and there are many, including myself would like to see a greater accountability of the NIH Director, and to make its planning, budgeting and reporting process more open. In 1998 a report was issued by the Institute of Medicine and the National Academy of Sciences entitled, *Scientific Opportunities and Public Needs: Improving Priority Setting and Public Input at the National Institutes of Health*. This report highlighted several issues that needed to be addressed by NIH, including its peer review process.

As a result, the NIH Council of Public Representatives (COPR) was created by former NIH Director Dr. Harold Varmus. The IOM committee recommended steps to make the agency more welcoming to public input, including the establishment of COPR. There were 20 public members selected to COPR and the first meeting was in April 1999. The committee members have participated in the NIH budget retreats, the NIH Government Performance and Results Act (GRPA), hearings on patient protections, health research related to diverse populations, health disparities, performance reviews of Institute Directors in addition to the regular COPR meetings and conference calls. The council has taken a life of its own and taken its role very seriously reviewing NIH's policies and procedures, research priorities, research funding, public input, and input to the public.

The Council sets the agenda and directs the discussion items. During these meetings we have learned the difficulties involved in the budget process and with the uncertainty of each year's appropriations bills, and the difficulty in making multi-year research commitments. Most directors have played it conservatively to make sure they will have the funds to continue projects. In addition the need to increase young researchers has been a priority at NIH. The research training program and mentorship program has been increased to meet this important crisis.

My amendment would require a report to identify and provide an explanation for funding decisions made by the NIH to entities seeking research grants. I would urge the NIH to continue in its efforts to ensure that our nation's best and brightest receive the dollars necessary to conduct important life saving research. While it is good to know that some steps have been taken, I believe it is incumbent upon Congress to continue to serve as a watch dog since taxpayer dollars are involved. I believe that we have benefited by finding out more about this newly formed Council, but I would remind my colleagues that this did not come about until the IOM and the National

Academy of Sciences brought these issues to light.

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Mr. PORTER. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Illinois (Mr. PORTER) claims the time in opposition and will be recognized for 5 minutes.

Does the gentleman from Illinois continue to reserve a point of order?

Mr. PORTER. Mr. chairman, I continue to reserve my point of order.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. PORTER).

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would say to the gentleman from Florida (Mr. STEARNS) that who receives grants of NIH funding and the amount of those grants and the purpose for which the grants are made is public knowledge. That is readily available and can be provided to the gentleman, or anyone else, at any time he would like to have it.

The peer review process is a process that has developed over a long, long period of time. It is set forth in Federal regulation. It is easy to understand the process and to see it at work. Is it perfect? Certainly nothing is perfect. It needs to be reviewed and made more responsive.

Ask the scientific community, generally, whether this is a good system that is competitive and separates good science from bad science, I think there is, overwhelmingly, a general consensus that it works quite well to separate good science from bad, to bring the best science to the top and to fund only that which has great potential and is well conceived.

With respect to electronic grant applications, NIH is working on that right now. I think it is a very good point that the gentleman makes and ought to be followed up on; but it is already being done, and we expect that the system will be perfected and brought on-line very soon.

So I would simply say to the gentleman that he makes good points, but I think that there is great progress being made with respect to each one.

Mr. STEARNS. Mr. Chairman, will the gentleman yield?

Mr. PORTER. Yes, I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, I thank the gentleman from Illinois for his comments. Dr. Harold Varmus was the former NIH director, and he sort of confirmed what my amendment intends. He recommended steps to make the agency more welcoming to the public and available and transparent, including what he called a Council of Public Representatives, COPR. There were 20 members that he selected, put this together; and he had a meeting in April 1999.

Mr. PORTER. Mr. Chairman, those councils are up and running, yes.

Mr. STEARNS. I know, Mr. Chairman, but part of the thinking he had was the council was there to make this agency more transparent. So I urge the gentleman from Illinois (Mr. PORTER) and the committee to continue this peer review and the process of making this more transparent.

POINT OF ORDER

Mr. PORTER. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part, "An amendment to a general appropriation bill shall not be in order if it changes existing law by imposing additional duties."

I ask for a ruling from the Chair.

The CHAIRMAN. The point of order is raised by the gentleman from Illinois (Mr. PORTER) against the Stearns amendment. Does any Member wish to be recognized on the point of order?

In pertinent part, the amendment earmarks funds in a manner not supported by existing law. As such, it constitutes legislation in violation of clause 2(c) of rule XXI.

The point of order is sustained.

The Clerk will read.

The Clerk read as follows:

This title may be cited as the "Department of Health and Human Services Appropriations Act, 2001".

TITLE III—DEPARTMENT OF EDUCATION
EDUCATION REFORM

For carrying out activities authorized by sections 3122, 3132, 3136, and 3141, parts B and C of title III, and part I of title X of the Elementary and Secondary Education Act of 1965, \$1,505,000,000, of which \$119,500,000 shall be for section 3122: *Provided*, That up to one-half of 1 percent of the amount available under section 3132 shall be set aside for the outlying areas, to be distributed on the basis of their relative need as determined by the Secretary in accordance with the purposes of the program: *Provided further*, That if any State educational agency does not apply for a grant under section 3132, that State's allotment under section 3131 shall be reserved by the Secretary for grants to local educational agencies in that State that apply directly to the Secretary according to the terms and conditions published by the Secretary in the Federal Register.

AMENDMENT NO. 14 OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. OBEY:

Page 49, line 20, after the dollar amount, insert the following: "(increased by \$65,000,000)".

Page 49, line 21, after the dollar amount, insert the following: "(increased by \$65,000,000)".

Page 52, line 7, after "titles" insert "II,".

Page 52, line 12, after each of the two dollar amounts, insert the following: "(increased by \$960,000,000)".

Page 52, strike the proviso beginning on line 17 and insert the following:

: *Provided*, That of the amount appropriated, \$960,000,000 shall be for title II of the Elementary and Secondary Education Act of 1965,

notwithstanding any other provision of law, for State formula grants and other competitive grants subject to such terms and conditions as the Secretary of Education shall establish to improve the knowledge and skills of such individuals as early childhood educators, teachers, principals, and superintendents, and for teacher recruitment and retention activities: *Provided further*, That of the amount appropriated, \$2,115,750,000 shall be for title VI of the Elementary and Secondary Education Act of 1965, of which \$1,750,000,000 shall be available, notwithstanding any other provision of law, to reduce class size, particularly in the early grades, using fully qualified teachers to improve educational achievement for regular and special needs children in accordance with section 310 of Public Law 106-113

Mr. PORTER. Mr. Chairman, I reserve a point of order on the gentleman's amendments.

The CHAIRMAN. The gentleman from Illinois (Mr. PORTER) reserves a point of order on the amendment.

Pursuant to the order of the House on Thursday, June 8, 2000, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Illinois (Mr. PORTER) each will control 15 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I yield myself 4½ minutes.

Mr. Chairman, last year during the debate on education issues, Democrats focused primarily on the need to reduce classroom size. On the Republican side of the aisle, the gentleman from Pennsylvania (Chairman GOODLING) said, and he made a good point, he said, look, it does not do any good to have smaller classrooms if the teachers in those classrooms are not well trained to teach. I happen to agree with that.

So this year, President Clinton added \$1.1 billion in his budget for teacher training and \$1.7 billion to reduce classroom size.

In my view, there ought to be room in this budget for both Republican and Democratic priorities. This amendment adds a little over \$1 billion to teacher-training programs and to teacher-retention programs. It strikes the action that the committee has taken in block granting teacher training funds into a solid single block grant rather than identifiable programs.

Why do we do that? Because we have seen what happened before. What happens with this Congress is that, if they take individual programs and block grant them, then the next time down the road, they cut them. They do not have to take the heat for cutting the individual programs because the effect of those cuts on those programs are masked. So we want that to remain visible.

Secondly, I offer it because one out of every 10 teachers in this country is teaching a subject that they are not trained to teach. We are about to lose 20 percent of the teachers that we do have in the country to retirement.

When parents get up in the morning and they send their kid to school, it seems to me they have got a right to

know four things: first of all, that their child is going to spend that day with a well-trained teacher; secondly, it is going to be in a decent school; thirdly, that school is going to be equipped with modern 21st century technology; and, fourth, the class size is going to be small enough so that you have got enough discipline so that the kid can learn. I think that is what they are entitled to.

Now, we have heard a lot of talk about the need for special education. I agree with that. What we have to recognize is that these funds that we are trying to add today help teachers prepare themselves to be able to deal with children with disabilities who are mainstreamed in regular classrooms.

As this chart demonstrates, we are going to see an increase in the number of students in high schools from a little less than 15 million children to a little over 16 million children over the next decade. This budget needs to respond to that increase, and we are not doing it.

I would suggest that, if our schools work, that our society will work. I happen to have the old-fashioned belief that, if our churches are able to function, if our schools are able to function well, that everything else in society will take care of itself. Then if our schools do not work, nothing will eventually work in this society.

Our schools cannot work without well-trained teachers. Our schools cannot work without having the resources to put an additional 100,000 and even more teachers in the classrooms, every one of them well trained.

So that is what we are trying to do. We are trying to double, essentially, the Eisenhower training programs. We are trying to increase technology training so teachers know how to use technology in educating, and we are trying to put an additional \$270 million in to help the highest poverty schools in the country to recruit, to train, and to mentor qualified teachers.

We will not be able to get a vote on this amendment today because of the rule under which it is being debated. The issue to me is very simple. Do my colleagues think it is more important to respond to this coming challenge in the classroom, or is it more important to give away \$90 billion in tax cuts to people who made over \$300,000 last year? That is the choice. I think my colleagues ought to be on the side of the kids.

Mr. PORTER. Mr. Chairman, I yield 6 minutes to the distinguished gentleman from Pennsylvania (Mr. GOODLING), chairman of the authorizing committee.

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

Mr. GOODLING. Mr. Chairman, first of all, I want to make sure that I do not think there is any Member of Congress that does not understand that if we can reduce class size in the early grades, and if we have a quality teacher in that classroom, children will

probably do better. The problem is the quality of the teacher has not been the driving force.

Now, when we think about 100,000 teachers, that is a sound bite. Somebody did a poll, and somebody said, "Boy, that is sexy. Let us get that out there." Why is it kind of silly? Well, it is kind of silly because there are 15,000 public school districts. There are a million classrooms, 100,000 teachers, a million classrooms. So my colleagues know very well it is a sound bite issue more than anything else.

I pleaded with the President when he started it not to indicate that that is the direction to go, but to indicate whatever one needs in the local district. If one can reduce class size, fine. If one can prepare teachers who one already has who have potential, that is even better.

The very day last year when we finished negotiating the 100,000 teacher business, the New York newspaper whole front page said, "Parents, 50 percent of your teachers are not qualified."

Now, probably many of those 50 percent might have had potential, but of course no, no, no, one just hired. What did they do with the first group that we allowed the President to hire? Thirty-three percent had no qualifications whatsoever. They did this in California, spent \$2 billion, and ended up again where they needed the most qualified in Los Angeles, for instance, over 30 some percent were totally unqualified.

Now, I do not know where the 18 came from, this magic number that somehow or other 18 will really give one quality education. Every piece of research that I have ever read has indicated that, if one cannot get class size down to 12 or 13, one is probably not making much difference. However, the important thing is that, even if one has five and the teacher is unqualified, one has not done anything to help the students.

That is why it is so wrong to move away from the Teacher Empowerment Act. The Teacher Empowerment Act is a bipartisan effort. What do we do in the Teacher Empowerment Act? We reform teacher certification. We have mentoring programs to help retain beginning teachers. We have expanding alternative groups to teacher certification. We work with teachers to reform tenure systems so we can reward those who do well. We support initiatives to use technology to deliver professional development. We support partnerships between high-need schools, higher education institutions, businesses, and other groups to promote and deliver high quality professional development programming.

In our Teacher Empowerment Act, hiring much-needed special education teachers is allowed, providing professional development for math and science teachers, implementing projects to promote the retention of

highly qualified teachers, and attracting professionals from other areas to teach.

All of these things are in the Teacher Empowerment Act. In other words, we are trying to make very, very sure that we are talking about quality, and this is the way to go. As I said, it was a bipartisan effort just passed last year. If we get the other body to move, we will finally get around to this business of saying, not only can we reduce class size, which we now allow, and that is part of the Teacher Empowerment Act, part of the money must go to reduce class size; but we say we will only do that if one replaces a teacher that is there with a quality teacher, or any new teacher is a quality teacher.

I mention, again, we are dealing with education technology. I indicated yesterday, we have seven programs on the books, five are funded, spread out over every agency downtown. The amounts are so small that no one can do anything worthwhile.

What we say again in our reauthorization of the Elementary and Secondary Education Act is we will combine it. If one needs equipment, one will get equipment. If one needs to better prepare one's teachers to use technology, use one's funds for that. If one needs software, do that. If one needs hardware, do that.

But let us not proliferate existing programs and even add more programs so that, again, we spread the money so thinly that it does not help anybody anywhere.

Now, again, our teacher program makes very, very sure in a bipartisan way that we prepare teachers for the 21st century, that they are quality teachers. We realize that reducing class size means nothing unless there is a quality teacher in that classroom.

Now, last year, the Secretary mentioned three or four superintendents who were so pleased to get this amount of money to reduce class size. I called each one of those superintendents. Do my colleagues know what each one said? Thank you for the money. We appreciate the money. However, had we been able to use the money to help all of our children, these are the ways we would have used it.

□ 1215

One said they would have improved their homework hot line; another said I would have had in-depth professional training.

We have to get away from this program of where we meet in an afternoon or we meet in the evening and somehow or other we are going to improve the quality of teaching. They need in-depth summer programs; they need in-depth semester programs. All of these things we do in TEA.

So I would say let us reject this amendment and let us move on with the IDEA reauthorization.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Hawaii (Mrs. MINK).

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Chairman, I thank the ranking member for yielding me this time.

I hope that all Members of the House heard the words of the Chair of the Committee on Education and the Workforce. He said that there is absolutely no doubt that if you lower class size and improve the quality of the teacher that the children will learn better. That is exactly what we are talking about today.

The gentleman makes reference to what the committee reported out in terms of improved conditions for our teachers and the quality of their service, but he forgets to tell us that we are talking about an authorization bill. My colleagues, today is the time to put those words into reality and to provide the money. That is what this amendment is all about. We are trying to improve the conditions upon which our children are now faced with in thousands of classrooms across this country.

In one of my schools, we have 120 children with four teachers; a ratio of 30 to 1. By the acts of this Congress, I got two teachers into that school for this third grade. It immediately lowered the classroom ratio to 20. There is absolutely no doubt that those children will be better educated because of the funding priority of this Congress.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I thank the gentleman for yielding me this time.

I cannot believe that any Member would support a bill that would repeal last year's bipartisan agreement to hire 100,000 new teachers in this country. Communities all across America had faith in that agreement. They hired new teachers to give their youngest students smaller classes. Almost 3 million children could be denied the benefits of smaller classrooms unless we pass the Obey amendment.

And what about our teachers? H.R. 4577 cuts funding for improving teacher quality, and it also cuts the funding for recruitment of new qualified teachers. The Obey amendment will put top quality teachers in small classrooms. Our students will get the assistance they need to perform at the very highest standards.

The Obey amendment is a wise investment in this Nation's future and it deserves a vote.

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, to clarify what we have done, we have taken the \$1.3 billion that is in class size and we have added it to the \$335 million in Eisenhower Professional Development. We have added other small programs to reach a total of \$1.75 billion; and we have appropriated that for the Teacher Empowerment Act, pending its enactment into law.

As the chairman just said, the Teacher Empowerment Act strikes a balance between hiring more teachers to reduce class size and recruiting, and retraining quality teachers. It also empowers teachers to choose the training that best meets their classroom needs. It encourages States and localities to implement innovative strategies, such as tenure reform, merit-based performance plans, alternative routes to certification, and differential and pay bonus for teachers. Ninety-five percent of the funds would go directly to the local level.

The President has eliminated funding for Eisenhower Professional Development in his budget and then proposed a number of new national programs related to teachers, as well as consolidations and restructuring of existing teacher training programs. What he has added is a number of different programs with nice sounding names; all unauthorized, while zeroing out the money for an authorized program, the Eisenhower Professional Development.

We have met the President's request for teacher training and quality teachers in the classroom. We believe this is a very, very high priority. It is very much a part of our education agenda. Our difference here is that we are operating within the constraints of a budget resolution while the amendment, of course, does not and simply adds another billion dollars.

I believe that this amendment simply is another politically motivated amendment that tries to create an issue over teacher training. We agree on the importance of teacher training and development. We believe that the Teacher Empowerment Act will do that far better than the number of categorical programs that are unauthorized, as the President has suggested, and far better than his 100,000 teachers sound bite. We are hopeful that the Teacher Empowerment Act will be enacted into law and we can fund it fully, as the President has requested.

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

Mr. OBEY. Mr. Chairman, I yield myself 1 minute.

All I would say, Mr. Chairman, is that the Senate has brought out its authorization bill and it has not included the Teacher Empowerment Act. So that may be false hope.

Secondly, with respect to block granting, what the majority has done with the social service block grant, which was at \$2.4 billion 2 years ago, they cut it to \$1.7 billion under the TEA-21 legislation. Then the Senate cut it in the labor-health bill this year to another \$600 million. It has become the incredible shrinking block grant, and we are afraid we are going to do the same thing to education by first blocking them and then shrinking them.

Thirdly, I would point out that it is incorrect to say that the President is zeroing out the Eisenhower Teacher Training program. He is doubling that

program essentially from \$335 million to \$690 million, and then adding some features that strengthen it as well.

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

Mr. PORTER. Mr. Chairman, I would inquire of the Chair of the time remaining.

The CHAIRMAN. The gentleman from Illinois (Mr. PORTER) has 6 minutes remaining, and the gentleman from Wisconsin (Mr. OBEY) has 7½ minutes remaining.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Chairman, I thank the ranking member for yielding me this time.

It gets awfully tiresome on this side of the aisle to listen to the fact that we may have constraints in the budget when, in fact, the architects of the budgets are the ones who have tied themselves in knots and now are leaving us without the proper amount of money to fund both the quality of our teachers as well as the size of our classrooms.

I was one of the people who worked in a bipartisan manner with the chairman on the Committee on Education and the Workforce and understand full well that the best, the optimum situation is to have a qualified teacher teaching a class of proper proportion so that the job gets done. By underfunding both aspects of that, we are not getting it done. Making it conditional on the passage of the Teacher Empowerment Act, particularly in light of the Senate's action leaving out part of that equation, is the wrong way to do. We need to make sure we can fund both the teacher quality aspects of this and the size aspect of it.

There are 533 new teachers in Massachusetts because of the classroom size initiative that the President put in place with the help of this Congress. To jeopardize that is unfair to those children and those parents as well as the teachers and the principals and superintendents.

That is the direction to go. Fund this. Stop giving us this stuff about how we are constrained by the budget when my colleagues on the other side of the aisle are, in fact, the architects of a bad piece of work.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Chairman, I thank the gentleman for yielding me this time.

Class sizes are way too large and we all know that, but it is not right to pit teacher training against class size reduction or any other education priority. The reason that we cannot do both class size reduction and teacher quality enhancement, and all of our other education priorities, is because of the trillion dollar tax cuts which have been proposed in this House. If we jettisoned these irresponsible trillion dollar tax cuts, we could do both class size reduction and teacher quality enhance-

ment and all of our other educational priorities.

We need to take a more common sense approach to our budget to achieve our education priorities: Reducing class size and enhancing teacher quality. These are all things that can be done if we jettison these irresponsible tax cut proposals.

Mr. PORTER. Mr. Chairman, I yield 30 seconds to the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the authorizing committee.

Mr. GOODLING. Mr. Chairman, I just wanted to compliment the other side. They are doing an outstanding job of sticking to the political line. There is no question about that.

I did want to mention block grant. Those are two words that the other side despises more than any other words. But who built title I? My colleagues on the other side of the aisle. Do my colleagues know what title I is and was? The biggest block grant that ever came from the Congress of the United States.

Do my colleagues know what did not happen? We have not closed the achievement gap after \$140 billion. So I would hope we would put that argument to rest.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. KIND).

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

Mr. KIND. Mr. Chairman, I thank my colleague from Wisconsin for yielding me this time.

Mr. Chairman, in response to the recent remarks of the gentleman from Pennsylvania, why would we then go from one block grant program that he feels has failed our American children and move to another block grant philosophy with a variety of other programs if they are not, in fact, working?

As a member of the Committee on Education and the Workforce, I rise in support of the Obey amendment. We know now that, other than the active involvement of parents in their own child's education, the next most important determinant of how well kids are going to perform in the classroom is the quality of the teacher and whether that teacher has a manageable class size in which to work. That is exactly what the Obey amendment addresses, and we know that this is working.

In our own State of Wisconsin, we have a very successful SAGE program of class size reduction and teacher training with reports and studies coming out to show student achievement in this area. Down in the State of Tennessee we have the STAR program as well, which is working very effectively.

We had hearings in the Committee on Education and the Workforce showing the importance of class size reduction. But over the next 10 years, we are going to have a 2.2 million teacher turnover. That presents both an opportunity and a challenge, a challenge

that we can address here today with the Obey amendment to make sure that there are the professional development funds to get quality teachers in the classroom come see students succeed in those classrooms.

That is why we need to stress teacher quality when authorizing teacher training and professional development programs. That is why we need to demand accountability to the federal investment in public education. And that is why so many of us here believe in the commitment to class size reduction, which is thwarted by the majorities' bill.

And that is why my own State of Wisconsin started a program in 1995 designed specifically to improve the achievement levels of students in grades K- through 3 in disadvantaged schools. The program, known as the Student Achievement Guarantee in Education, or S.A.G.E., incorporates four components into a comprehensive effort at raising student performance: class size reduction, teacher professional development, challenging curriculum, and community involvement.

In 1998, a study by the University of Wisconsin at Milwaukee discovered dramatic improvements in student test scores from those schools participating in the S.A.G.E. program S.A.G.E. has been so successful that it has been expanded statewide and has secured significant funding increases by the state's legislature. This focus on reduced class size and teacher quality not only works, but is extremely popular among participating students, teachers and parents.

Wisconsin is not alone in working to reduce class size in order to improve student scores. In Tennessee, the STAR and Challenge projects have produced good data indicating a general educational advantage for students in smaller classes. Similar programs in North Carolina, Indiana, Nevada and Virginia, as well as initiatives either started or planned in at least 20 other states show clear indication that a focus on reducing class size helps students, particularly those in areas of higher need, achieve greater performance goals and standards.

I am profoundly disappointed that this underlying bill does not maintain a solid Federal commitment to class size reduction and teacher quality. The Federal role in education is to provide targeted assistance to those students and schools with high economic need, and to identify and address issues of national significance. In terms of class size reduction, this bill is simply another attempt to turn the Federal commitment to education into a new form of general revenue to State Governors.

This bill is anything but education friendly. The Majority has squandered a unique opportunity to address the pressing needs of our Nation's schools and leverage wise investments in our children's learning environment. I urge my colleagues to support the Obey amendment. It's time we approach our commitment to education seriously.

Mr. OBEY. Mr. Chairman, I yield 30 seconds to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Chairman, I rise in support of this. There are few things that we can point to that have more of an effect on a student's performance than personal attention from teachers, and this is critically important.

I have with me here today in Washington representatives of school boards

from across central New Jersey, and they have pointed out again and again, wherever I go, whenever I visit schools, that class size is getting the better of them. They want, help and we should be helping them. This is important across the country and we must do it.

□ 1230

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, I rise in support of the Obey amendment.

Mr. Chairman, we should be making a national priority today reducing class size, and we ought to take the lead to provide some support to our local school districts that want to do this.

Anyone who has visited elementary schools today knows that one of the most fundamentally important things we can do is to support the teacher in developing that personal relationship with the student to really excite and engage them about learning.

We face major challenges ahead. We are having a problem now retaining a lot of people who have chosen to go into the teaching profession. And what do teachers need and want more than anything? They want control back in their classroom. And we can give control of the classroom back to them by giving them a workable class size, around 20 students per teacher to teach.

The third thing we need to keep in mind is we have to hire over 2.2 million new teachers over the next decade, just 7,000 alone in my home, the Tampa Bay area. We are not going to be able to attract the type of teachers we need and keep them unless we can give them a manageable class size and invest in professional development to give them the tools they need to use technology and the curriculum to excite kids about learning.

That is why we need to adopt the Obey amendment.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Mr. Chairman, I am astounded to hear the majority say that our proposal for 100,000 teachers to reduce class size is nothing more than a sound bite. They cannot tell the students in my school that have two teachers in the third grade that reducing the class size from 30 to one to 20 to one is a sound bite. This is a reality.

It has not only improved the educational opportunities for the children that got the two new teachers, but it improved the classroom quality, also, of the remaining three classes.

So this is an amazing statement that the chairman of our Committee on Education and the Workforce has propounded today. The 30,000 teachers that have been spread across the country have dramatically improved the educational opportunities of these youngsters.

Let us not just talk about what we are going to do for education. If title I is a block grant, wonderful. It was block granted for the poor children in this country based upon a very precise formula. That is what we are doing here today. We are asking this Congress to appropriate money to reduce class size and improve teacher quality.

Mr. PORTER. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. MCKEON) the chairman of the Subcommittee on Post-Secondary Education, Training and Life-Long Learning of the authorizing committee.

Mr. MCKEON. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, the 100,000 teachers sounds like a great idea, and it may be a great idea. But a Federal 100,000-teacher mandate does cause problems in the local area.

We set out last year in a bipartisan way to really find out how our committee could help do a better job of education across the country. We held hearings across the country, and we listened to people. We listened to parents. We listened to teachers. We listened to school board members, superintendents. We asked them, what is the most important thing in education? And they said, first of all, the parent; and, secondly, a qualified teacher.

Now, I have six children. I have 19 grandchildren. It is important to me that they have a good education. When our children were going to school and my wife was active, she was PTA president. She was very active in the local schools, most of the parents know who the best teachers in the schools are. Most of the parents know which teachers are the most qualified and which can help their students learn the most. And they try to get their students into the classroom with the best qualified teacher.

Now, it is very important, it is very popular right now to talk about reducing class size. And in California, our governor did this a few years ago. He cut all class sizes from K through three down to 18. We thought would be very helpful. But the problem was we did not have enough qualified teachers available to be hired, just as there is not 100,000 qualified teachers right now to be hired. And so it resulted in over 30,000 underqualified teachers in the classroom in California to get that class size down to 18.

I asked parents, I said, if they had a choice of having their child in a classroom of 15 students with a brand new teacher just out of school, maybe not quite as seasoned, quite as qualified as some that had been around a little longer, or if they had their chance to have the very best teacher in that school of a class size of 25, where would they have their child go? And every time they say, I would take the class with the best qualified teacher even if we had 25 students.

The thing is, with the Teacher Empowerment Act, we do not have to

make that kind of decision. We could have both. We say in the Teacher Empowerment Act, use this money for class size reduction. If they cannot get enough qualified teachers, then they can use that money to help their teachers become better qualified. They can give them a voucher. They can let them go get the training that they need.

In one of our hearings here in Washington, D.C., we had a young African American teacher that had been teaching just a few years; and he told us that he was hired to teach reading in the third grade and he was very frustrated. His first year he had not had a class in how to teach reading. But he was told that he knew how to read, he can teach reading. He said he was very frustrated. He was not able to teach. His students were not learning. He was ready to give up the teaching profession.

Fortunately, he had an administrator that helped him get the teaching that he needed so that he was able to adequately teach his students. But it took a few years of preparation. He said now he felt better about what he was doing, his students were learning, and he was able to progress.

That is what we do with the Teacher Empowerment Act. We help teachers become better teachers so that they are qualified and able to really help young children learn, which is what we are all trying to achieve.

But instead of having a mandate out of Washington saying they have to hire 100,000 teachers, we give the local jurisdictions the opportunity to make the best use of that money.

I oppose this amendment and encourage all of my colleagues to do so.

Mr. OBEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I swear that the previous speaker has not read this amendment. This amendment says, instead of spending \$700 billion dollars on tax cuts, instead of spending \$90 billion in tax cuts for people who make more than \$300,000 a year, instead of giving \$200 billion in tax cuts to the richest 400 people in this country, instead, do two things: provide an increased number of teachers so you can have smaller classes and it says provide more teacher training.

The gentleman who just spoke acts as though we do not have anything in here for teacher training.

Under the law, under the 100,000 new teachers effort which the President is trying to move forward, 25 percent of that can be used for training; and if you reached 18 kids per classroom, you can use it all for teacher training.

This amendment that we are trying to add would add 1 billion additional dollars for teacher training, not for class size, for teacher training. We add \$690 million to help upgrade existing teachers in the classroom, and we use the other money to help recruit and retrain new teachers in high-poverty areas. That is what it does.

We are taking the criticisms from that side of the aisle last year and responding to them. We are saying, do not just do smaller class size, do both smaller class size and additional teacher training.

The question really is, when you blow the smoke away, are you trying to save this money for your high-roller friends on their tax cut, or are you willing to put it into the classroom, recognizing we have got a million more kids that we have to teach and we need the best teachers in the country to do it?

So it is a choice between your high-rollers and your kids, and I think you know what side you ought to come down on.

Mr. PORTER. Mr. Chairman, I yield the balance of the time to the distinguished gentleman from Pennsylvania (Mr. GOODLING), the chairman of the authorizing committee.

Mr. GOODLING. Mr. Chairman, first of all, let me remind everyone that that amendment says nothing about tax cuts. So I do not know what that discussion is all about.

But let me say again to the gentlewoman from Hawaii (Mrs. MINK), yes, I want to repeat, it was positively a political sound bite; 100,000 teachers, 15,000 school districts, one million classrooms, and they talk about class size reduction. But they got embarrassed because the President never once mentioned quality when he started that. I pleaded with him to talk about quality. And then they got embarrassed because of the first 20,000 hired, 33 percent were totally unqualified.

Now, was that not something to do to children, stick them in a classroom with fewer people with a totally unqualified teacher. Shame. Shame. Shame.

And so, we say in the Teacher Empowerment Act, we are not interested in this quantity business that we have talked about for all these years; we are only interested in quality.

In 1970, yes, I reduced class size in the early grades as a superintendent. I did not come to Washington. I went to my school board. That is where I went. And, yes, I did not put any in there until there was a quality teacher to put in there to reduce class size.

Let us stick with the Teacher Empowerment Act. Get the most for your money. Get quality. Get class size reduction. Get everything that is needed to improve instruction in the classroom. That is what we are all about.

POINT OF ORDER

Mr. PORTER. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part:

"An amendment to a general appropriation bill shall not be in order if it changes existing law."

The amendment directly amends existing law. I would ask for a ruling from the Chair.

The CHAIRMAN. The gentleman from Illinois (Mr. PORTER) raises a point of order against the Obey amendment.

Does any Member wish to be heard?

Mr. OBEY. Yes. I do, Mr. Chairman.

Mr. Chairman, as I understand the rule, we are not able to offer an amendment that adds to the funding level assigned to this subcommittee through the budget resolution because the budget resolution set aside a huge amount of money for tax cuts, which the majority party would prefer to see instead of funding for programs like this and Social Security and Medicare and all the rest.

That means that all we can do is offer these amendments, but we cannot get a vote on it. It is a pretty strange way to run a railroad, but that is the way we are going to be railroad, I guess. And so, I reluctantly concede the point of order.

The CHAIRMAN. The gentleman concedes the point of order. The gentleman from Illinois (Mr. PORTER) makes a point of order that the amendment offered by the gentleman from Wisconsin (Mr. OBEY) proposes to change existing law, in violation of clause 2(c) of rule XXI.

The amendment in pertinent part includes a provision directly waiving "any other provision of law." By seeking to waive any other provision of law, the amendment constitutes legislation on an appropriation bill in violation of clause 2(c) of rule XXI.

Accordingly, the point of order is sustained.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Ms. VELAZQUEZ. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentlewoman from New York.

(Ms. VELAZQUEZ asked and was given permission to revise and extend her remarks.)

Ms. VELAZQUEZ. Mr. Chairman, a complaint was filed with the Department of Health and Human Services Office of Civil Rights (OCR) because of discriminatory practices against limited English speaking persons as well as hearing impaired clients who applied for TANF and Medicaid benefits.

In October 1999, the Health and Human Services Office of Civil Rights (OCR) found the New York City Human Resources Administration, the New York State Department of Health, the New York State Office of Temporary and Disability Assistance, and Nassau and Suffolk Counties guilty of discriminatory practices against limited English speaking and hearing-impaired persons.

These local, county, and state entities were found in violation of Title VI of the Civil Rights Act as well as the Americans With Disabilities Act.

Those who already are challenged with navigating a massive bureaucracy should not have to be penalized further because they do not speak the language and dared to ask for help. This is appalling.

The Office of Civil Rights within the Department of Health and Human Services came to some very troubling revelations. Limited

English-speaking clients were asked to bring their own language interpreters.

This pattern of misconduct was so prevalent and well known to the community that clients seeking assistance made arrangements to bring their own interpreters before going to a public assistance office.

Bilingual staff people were limited or non-existent, and staff were often not aware they were required to provide such assistance. This is unacceptable.

Investigators from HHS found that public assistance offices failed to provide necessary assistance and services to hearing-impaired clients and staff members lacked the ability to ensure effective communication with hearing-impaired clients.

The basic conclusion of the Office of Civil Rights was that clients were denied access to federal funds. Specifically, they were denied access to Medicaid and TANF funds.

The Office of Civil Rights required the Human Resources Administration to submit a corrective plan of action.

To add insult to injury, the plan submitted by the agency was totally devoid of any serious intent to correct its conduct. The plan submitted was so inadequate, that the Office of Civil Rights then rejected it. The Office of Civil Rights then drafted a plan for the agency which the agency has yet to agree to.

As the Representative of one of the largest Hispanic constituencies in New York City, one of the largest Asian populations nationally, and the largest number of Eastern European immigrants in Brooklyn, I am very concerned that my constituents are being denied their rights.

New York City is not an island unto itself. I dare to think, how prevalent such behavior may be on a national level. We have a responsibility to ensure that funds which we deem as necessary for the well-being of our constituents reaches them.

In a nation that is founded upon the diversity of its people, this conduct cannot be tolerated. Because of this, our capacity for tolerance and understanding of all people should be a foregone conclusion.

Mr. Chairman, it is for this reason that I ask that you consider the inclusion of language in the Committee Report to urge the Department of Health and Human Services to examine this matter on a national level.

The CHAIRMAN. The Clerk will read. The Clerk read, as follows:

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965, and section 418A of the Higher Education Act of 1965, \$8,816,986,000, of which \$2,569,823,000 shall become available on July 1, 2001, and shall remain available through September 30, 2002, and of which \$6,204,763,000 shall become available on October 1, 2001 and shall remain available through September 30, 2002, for academic year 2001-2002: *Provided*, That \$6,783,000,000 shall be available for basic grants under section 1124: *Provided further*, That up to \$3,500,000 of these funds shall be available to the Secretary on October 1, 2000, to obtain updated local-educational-agency-level census poverty data from the Bureau of the Census: *Provided further*, That \$1,158,397,000 shall be available for concentration grants under section 1124A: *Provided further*, That \$8,900,000 shall be available for evaluations under section 1501 and not more than \$8,500,000 shall be reserved for section 1308, of which not more than \$3,000,000 shall be reserved for section 1308(d): *Provided further*, That \$190,000,000 shall be available

under section 1002(g)(2) to demonstrate effective approaches to comprehensive school reform to be allocated and expended in accordance with the instructions relating to this activity in the statement of the managers on the conference report accompanying Public Law 105-78 and in the statement of the managers on the conference report accompanying Public Law 105-277: *Provided further*, That in carrying out this initiative, the Secretary and the States shall support only approaches that show the most promise of enabling children served by title I to meet challenging State content standards and challenging State student performance standards based on reliable research and effective practices, and include an emphasis on basic academics and parental involvement.

□ 1245

AMENDMENT NO. 192 OFFERED BY MR. VITTER

Mr. VITTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 192 offered by Mr. VITTER: Page 50, line 11, insert after the dollar amount the following: "(decreased by \$116,000,000)".

Page 51, line 21, insert after the first dollar amount the following: "(decreased by \$78,548,000)".

Page 52, line 12, insert after the first dollar amount the following: "(decreased by \$158,450,000)".

Page 53, line 5, insert after the dollar amount the following: "(decreased by \$30,765,000)".

Page 53, line 17, insert after the first dollar amount the following: "(increased by \$1,419,597,000)".

Page 54, line 13, insert after the dollar amount the following: "(decreased by \$900,000)".

Page 54, line 17, insert after the dollar amount the following: "(decreased by \$5,849,000)".

Page 55, line 2, insert after the dollar amount the following: "(decreased by \$3,420,000)".

Page 55, line 10, insert after the first dollar amount the following: "(decreased by \$36,850,000)".

Page 56, line 13, insert after the dollar amount the following: "(decreased by \$823,283,000)".

Page 57, line 14, insert after the first dollar amount the following: "(decreased by \$158,502,000)".

Page 58, line 3, insert after the dollar amount the following: "(decreased by \$7,030,000)".

The CHAIRMAN. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Louisiana (Mr. VITTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. VITTER).

Mr. VITTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I bring before the House today an amendment to fully support over time our Federal commitment to IDEA, the Individuals with Disabilities Education Act. This has been a long-running frustration in the education community and across our country, Mr. Chairman, the fact that since 1975, the Federal Government has created an enormous burden and mandate with IDEA but has not kept its

commitment to adequately fund that mandate.

In 1975, IDEA was passed, and part of that passage was the notion that the Federal Government would fully fund over time that additional mandate on local government by funding 40 percent of the national per-pupil expenditure for students with disabilities. Unfortunately, we have never come close to that mark.

Now, recently, just about a month ago, we took an important vote on H.R. 4055 by the gentleman from Pennsylvania (Mr. GOODLING). I was a cosponsor of that measure. That measure, which passed overwhelmingly, 421-3, said that over the next 10 years, we would increase IDEA funding by \$2 billion per year, and, therefore, over that 10-year period, we would get to our full Federal commitment on the issue of IDEA, something we have promised to do but have failed to do since 1975. That was just a month ago. 421-3.

Also this year, we passed a budget resolution, the fiscal year 2001 budget resolution. That committed us to the same thing, an increase in \$2 billion per year to, over a reasonable amount of time, get us to our full funding commitment. In fact, that budget resolution went further. It said that we would commit ourselves to fully funding special education before appropriating funds for new Federal education initiatives.

My amendment, which I bring before the House today, lives up to that promise, lives up to the promise of the budget resolution that we passed recently and lives up to the promise of H.R. 4055 which we passed recently by an overwhelming margin.

It is really quite simple. It would take any increases in funding on education initiatives and shift those increases, only increases in funding over last year, to IDEA, and that would fully fund our \$2 billion per year commitment so that we will stay on track to get to full Federal funding of our Federal commitment over 10 years.

Now, I know some of these increases in other areas are very warranted, are very popular. But we need to keep this fundamental Federal commitment which we have just restated this year twice through both the bill of the gentleman from Pennsylvania (Mr. GOODLING) and the fiscal year 2001 budget resolution before we move on to new programs and to new spending in existing programs. My amendment will do that.

In summation, Mr. Chairman, there are many good reasons to pass this amendment. Number one, we should keep our commitment, a commitment restated twice this year. Number two, we should support Federal education initiatives and our special education students. Number three, and perhaps even most importantly, we should give local systems additional flexibility, because every time we give them more special education dollars to keep our Federal commitment, we free up local

and State money, and that gives more flexibility, more power to the local level where it belongs.

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

Mr. OBEY. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

There is no one in this House who would like to see funding rise for special education more than I would. I have a nephew that benefits from special education. But this amendment is a Johnny-one-note approach to education, and it ought to be defeated.

We will be offering an amendment later on in the process which attempts to add a billion and a half dollars to special education by asking the majority to consider cutting back its tax cuts by about 20 percent in size. That is the best way, in my view, under present circumstances to strengthen special education.

This amendment is opposed by the National Association of State Directors of Special Education, it is opposed by the National PTA, it is opposed by the American Association of School Administrators, the National Education Association, and the National Education of Federally Impacted Schools. Why? Because it cuts the maximum Pell grant award for every working-class kid trying to go to college \$275 below last year's level. It cuts education for the poorest kids in this country who are having the most trouble getting an education, the disadvantaged, by \$116 million. That means 178,000 fewer kids will be served. It cuts the increases in this bill for Even Start literacy services, comprehensive school reform and high school equivalency and college assistance for migrant students. It cuts services to the deaf and blind students at Gallaudet and at the Printing House for the Blind and at the National Technical Institute for the Deaf. It cuts Impact Aid by \$78 million.

The National Association of State Directors of Special Education says as follows:

"While we support full funding for IDEA and welcome increases in funding that take us toward that goal, we are concerned that these increases are the result of cuts in proposed spending on Federal education programs that also serve the needs of children with disabilities, including title I, 21st century community learning centers, and vocational education. As a result, taking money from one education program and putting it into special education will not increase the total amount of funding available to support children with special needs. These proposed amendments demonstrate the fundamental problem with this appropriations bill. It lacks sufficient funding and support for education programs across the board. This deficiency will

not be fixed by moving dollars from one program to another."

I could not have said it better myself. I would urge rejection of the amendment.

Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Chairman, I thank my friend from Wisconsin for yielding me the time. I would like to say to the gentleman from Louisiana, he has got the right idea, he is just taking it out of the wrong pot of money.

What we are trying to do with this debate in education today and yesterday and last week is say that the majority budget where they have put so much money, a trillion dollars, aside for a tax cut, we need to make sure that some of that money can go toward new ideas with accountability, with good quality, for education. Nothing is more important than the title I program for the poorest of the poor.

This bill funds it at about \$8.5 or \$8.6 billion. I offered an amendment with 39 Republicans on the authorization process that increased title I by \$1.5 billion. This does not increase it by \$1.5 billion. This amendment takes money away from the poorest kids, puts it into a good account, but we should not be forced to take it from poor kids to put it in special education programs. We should be able to do both.

I urge defeat of the amendment.

Mr. VITTER. Mr. Chairman, I yield myself such time as I may consume.

In closing on this side, I want to make two fundamental points. First of all, this amendment only involves cuts by the Washington definition of the term. In the real world, across the country, people know what a cut is, and they know the difference between a cut and a lack of increase in spending. This keeps our same level of spending on other vital education programs as last year, and it only moves what would be new and additional spending dollars to special education. So it is not a cut except in the old, stale Washington definition and Washington sense of the term.

We do this in the amendment, we move that money, those additional new funds to special education for a very good and compelling reason, because we voted twice this year, in the bill of the gentleman from Pennsylvania (Mr. GOODLING) by an overwhelming margin and in the fiscal year 2001 budget resolution to put special education and meeting our Federal commitment to special education at the top of the priority list. It is time we did that.

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, there is no enterprise that is more important and no responsibility that is greater for any public official than to see to it that our public schools are our first priority, not just for some kids but for all kids. That means kids who need special education; that means kids from wealthy families. It means kids from middle-class and poor families.

The only thing you have got when you start out in life is opportunity. The question is how much you are going to be given by your society as you grow or how much is going to be taken away. This amendment seeks to give additional opportunity for some kids at the expense of others.

That is not the way we ought to be doing things in this country. We should not be making it more difficult for 178,000 kids who are most at risk of failing in education to lose help under Federal education programs. We should not be taking funding away for the National Technical Institute for the Deaf. We should not be taking it away for Gallaudet, the university for deaf and deaf/blind. We ought to be able to find a way. And sooner or later before this year is over, we will. Before this year is over, the majority will have to recognize that more money is going to have to go into this bill for education. It is \$3.5 billion below the President's request.

If you want to fix this bill, take care of that and you will fix most of the problem.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. VITTER).

The amendment was rejected.

AMENDMENT NO. 202 OFFERED BY MR. HOEKSTRA

Mr. HOEKSTRA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 202 offered by Mr. HOEKSTRA:

Page 50, line 11, insert after the dollar amount the following: "(decreased by \$116,000,000)".

Page 51, line 21, insert after the first dollar amount the following: "(decreased by \$78,548,000)".

Page 52, line 12, insert after the first dollar amount the following: "(decreased by \$158,450,000)".

Page 53, line 5, insert after the dollar amount the following: "(decreased by \$30,765,000)".

Page 53, line 17, insert after the first dollar amount the following: "(increased by \$383,263,000)".

The CHAIRMAN. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Michigan (Mr. HOEKSTRA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, when Congress passed the Individuals With Disabilities Act in 1975, the Federal Government made a commitment to pay 40 percent of the special education budget and required States to pay the other 60 percent. The Federal Government, however, currently only pays roughly 12.6 percent toward the IDEA budget, and the States are forced to make up the rest of what is an unfunded mandate.

This amendment takes a more targeted approach by eliminating in-

creases in four programs and moving the money into funding for the Individuals with Disabilities Education Act. This amendment would move about \$383 million in funding, still far short of the \$2 billion in increase necessary to move IDEA funding to the target that was outlined in the budget resolution. The amendment is not a criticism of the programs where we are taking the money out of. Rather, it is a transfer of funding to a program which Congress has said should be our number one funding priority. This is consistent with the budget resolution. It is also consistent with the resolution that passed the House of Representatives identifying IDEA as our most important funding priority.

□ 1300

It is also very consistent with what educators, school administrators, and parents have said at the local level as we have gone around the country, because what this mandate does, without fully funding it, is it saps resources from local school budgets.

Governor George Ryan in Illinois: "The support of increased Federal funding is a key element in assuring successful compliance with IDEA in the future." Representative Alice Seagren told us this last week in Minnesota: "One of the most positive things Congress could do is to fund the Federal Special Education mandates before you consider any new programs." Bob Selly who is superintendent of the East Yuma County School District in Colorado: "My suggestion, if it is going to be mandated by the Federal Government, figure out what is it is going to cost the schools and fully fund the Federal mandate."

Eric SMITH, superintendent of the Charlotte Schools in Charlotte, North Carolina: "Based on a lack of funding, there are systemwide struggles which directly affect the quality of service we can provide to our students." From a parent in Pennsylvania: "I believe that a lack of funding is a major detriment to fulfilling the promise of IDEA giving children with disabilities access to a free and appropriate education in the least restrictive environment."

This amendment seeks to move us in the direction that the budget resolution has said we should go, that this House has said we should go, and that Congress in 1975 said that we should go by funding 40 percent of the mandate that we imposed on some State and local schools.

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

The CHAIRMAN. Does any Member claim time in opposition?

Mr. OBEY. Mr. Chairman, I rise in opposition.

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, again, the choice we face is this, both parties want to increase support for special education.

The question is, are we going to do that by scaling back by just a tiny amount the size of the tax cuts that the majority party is pushing through this place, or are we going to do that by cutting back on funding for disadvantaged children? Are you going to do that by cutting back on Impact Aid to local school districts?

Are you going to do that by cutting out increases for charter schools in this bill and the increases for education for homeless children? Are you going to really cut \$31 million from Indian Education, 29 percent below the House bill and 33 percent below the request?

I do not know how many times you have had the occasion to have Native American children either in your office or just talking to them at home. So often we see that they lack confidence. They are not sure of themselves. They do not want to speak up.

They have not been treated very well in this society, and this amendment provides that that treatment is going to be just a little bit worse.

I do not think that it makes sense fiscally. I do not think it makes sense in terms of human values. This amendment is opposed by the National Association of State Directors of Special Education, the very people that it purports to help. And it is also opposed by the Easter Seals Society. It says Easter Seals does not support amendments that propose to reduce funding of Federal general education programs in order to provide an increase for special education. Every child in America benefits when all educational programs are adequately funded. Moreover, Easter Seals is working to ensure that students with disabilities have the opportunity to benefit from general education programs, including the 21st Century Community Learning Centers, GEAR-UP, and title I.

Mr. Chairman, we know in the end this bill is going to have to provide more funding for special education and for a lot of other education programs. That, unfortunately, is not going to happen today, because of the rule under which this bill is being brought to the floor, but this is not a vote that you want to cast. This is not a vote you want to go home and explain to your constituents.

We should not be picking on the most defenseless and most troubled children in this society in order to help other defenseless and troubled children. I would urge defeat of the amendment.

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

Mr. HOEKSTRA. Mr. Chairman, how much time is remaining?

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman from Michigan (Mr. HOEKSTRA) has 1½ minutes remaining, the gentleman from Wisconsin (Mr. OBEY) has 1¾ minutes remaining.

Mr. HOEKSTRA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is interesting to take a look at the funding and the taking away from different groups to fund others. Title I since 1998 increased 19 percent. Impact Aid since 1998 increased 22 percent. Indian Education since 1998, an increase of 80 percent. School improvement programs since 1998, an increase of 110 percent.

What we are saying is these programs have been funded and increased over the last 3 years, but let us meet and fulfill the commitment that this House said, which was special education funding is our number one priority. Let us fully meet our commitment as we fully met our commitment, then let us take a look at the other programs. But these other programs have been receiving increases. What we are saying this year is let us take a focused approach, and let us put our money where our promises and our commitments were.

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

Mr. OBEY. Mr. Chairman, how much is remaining?

The CHAIRMAN pro tempore. The gentleman from Wisconsin has 1¾ minutes remaining.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Chairman, I thank the gentleman from Wisconsin for yielding me the time and would simply state that, I believe, while well-intentioned, this amendment might jeopardize the \$30 million increase that we have worked so hard for a program that the gentleman from Michigan (Mr. HOEKSTRA) and I have had hearings on; that we both agree should be supported at a higher level of funding, and that is charter schools.

The gentleman from Michigan (Mr. HOEKSTRA), who I have the deepest of respect for, we work together on the Subcommittee on Oversight and Investigations on the Committee on Education and the Workforce, have had a hearing, an extensive hearing on what a wonderful innovation is being brought forward on charter schools in this country.

They are accountable. They are innovative and creative. They allow us to do new things at the community level with parental involvement. We need more funding. And we hear from the business community and the high-tech community that starting a new charter school, the upstart costs are one of the most difficult barriers to get them going, so we have a \$30 million increase; the Senate has this at \$210 million. Let us keep that in the bill; let us not threaten that with taking money away from that charter school program.

Mr. OBEY. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, the gentleman from Michigan (Mr. HOEKSTRA) said that special education should be our highest priority. I agree that special education, teacher training and small class size all ought to be our top priorities, but I

do not believe that special education ought to be our only priority; and I do not think it ought to be funded by dealing another heavy blow to other children who in some cases are even more disadvantaged than some of the children who need special education.

It seems to me in the end we will recognize what we all have to do, that will not happen until conference; but this approach is a beggar-thy-neighbor approach, and I do not think it would be well received by the public; and I urge its rejection.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Michigan (Mr. HOEKSTRA).

The amendment was rejected.

The CHAIRMAN pro tempore. The Clerk will read.

Mr. BONILLA. Mr. Chairman, I move to strike the last word for the purpose of entering into a colloquy with the gentleman from Washington (Mr. NETHERCUTT).

The CHAIRMAN pro tempore. Is the gentleman from Texas (Mr. BONILLA) a designee of the gentleman from Illinois (Mr. PORTER)?

Mr. BONILLA. Yes, Mr. Chairman.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Texas (Mr. BONILLA) for 5 minutes.

Mr. NETHERCUTT. Mr. Chairman, will the gentleman yield?

Mr. BONILLA. I yield to the gentleman from Washington.

Mr. NETHERCUTT. Mr. Chairman, I thank the gentleman from Texas for yielding to me.

Mr. Chairman, I had previously intended to offer an amendment to this bill, which would increase the Star Schools Program up to last year's funding level of about \$51 million. My amendment would have increased this program a little over \$5½ million with offsets proposed for administrative costs in the Department of Education.

I have decided not to offer the amendment formally, but to enter into a colloquy with the chairman of our subcommittee to get some assurance that this issue will be considered in conference. The purpose of the Star Schools Program is to capitalize on new interactive communication technologies which allow educators to improve instruction in mathematics, in science, foreign languages, adult literacy and other subjects, especially to traditionally underserved students.

The Stars Schools Program was first authorized in 1988 and was reauthorized most recently under title III of the Improving America's Schools Act. The program allows the Office of Educational Research and Improvement to make grants for a duration of 5 years, allows the authority to make awards to special statewide projects and special local projects.

The program has been really a very effective program in my district, the east side of the State of Washington. It

has provided services to more than 6,000 schools in every State, the District of Columbia, and several territories.

About 1.6 million learners have participated in the student staff development parental and community-based activities produced under the Stars Schools Program. I visited the STEP Star Program in Spokane, Washington, which is the Star Schools Program offered by Educational Service District 101 in my 5th Congressional District of Washington. The program is tremendously impressive, and I must say we held a town hall meeting with several schools in rural communities outside of the Spokane area, and it was very effective. I especially commend the work of ESD 101 Superintendent Terry Munther and Government Affairs manager Steve Witter.

We could have interactive communication and discussion of not only issues of the day, but the opportunity for students in local, rural communities to have the same opportunities to learn as students in urban communities.

It is a very great program. It is well operated. It services children as it should, regardless of geographic location. So I am delighted that the chairman of the subcommittee is willing to enter into this colloquy and to talk a little bit about this, and allow me to say a few words in support of the program, because I think if we had a vote on it, we would have a good chance of passage; but I do respect the process here of trying to make sure we stay within our budget limitations, but also try to solve the funding issues that affect very serious programs like this one in the conference.

Mr. Chairman, I would ask for the assurance of the gentleman from Illinois (Mr. PORTER) that we will seek to increase funding for the Stars Schools Program up to the level of last year to the extent that we can during the conference with the other body.

Mr. BONILLA. Mr. Chairman, I thank the gentleman from Washington (Mr. NETHERCUTT) for bringing this good program to the attention of the subcommittee, and the chairman of the subcommittee, the gentleman from Illinois (Mr. PORTER), gives his assurance that he will work to increase the line item for this particular program, the Stars Schools Program in conference.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965, \$985,000,000, of which \$780,000,000 shall be for basic support payments under section 8003(b), \$50,000,000 shall be for payments for children with disabilities under section 8003(d), \$82,000,000, to remain available until expended, shall be for payments under section 8003(f), \$25,000,000 shall be for construction under section 8007, \$40,000,000 shall be for Federal property pay-

ments under section 8002, and \$8,000,000, to remain available until expended, shall be for facilities maintenance under section 8008.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by titles IV, V-A and B, VI, IX, X, and XIII of the Elementary and Secondary Education Act of 1965 ("ESEA"); the Stewart B. McKinney Homeless Assistance Act; the Civil Rights Act of 1964; and part B of title VIII of the Higher Education Act of 1965; \$3,165,334,000, of which \$1,073,500,000 shall become available on July 1, 2001, and remain available through September 30, 2002, and of which \$1,515,000,000 shall become available on October 1, 2001 and shall remain available through September 30, 2002 for academic year 2001-2002: *Provided*, That of the amount appropriated, \$1,750,000,000 shall be for the Teacher Empowerment Act, if such legislation is enacted.

AMENDMENT NO. 185 OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I offer an amendment.

Mr. BONILLA. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 185 offered by Mr. ROEMER: Page 52, line 12, after the first dollar amount, insert the following: "(increased by \$25,000,000)".

Page 52, line 19, strike the period and insert the following: ": *Provided further*, That of the amount appropriated for programs under this heading, \$25,000,000 shall be made available for teacher transition programs described under section 306."

Page 59, line 10, after the first dollar amount, insert the following: "(decreased by \$25,000,000)".

Page 64, after line 6, insert the following new section:

SEC. 306. (a) PURPOSE OF TEACHER TRANSITION.—The purpose of this section is to address the need of high-need local educational agencies for highly qualified teachers in particular subject areas, such as mathematics, science, foreign languages, bilingual education, and special education, needed by those agencies, following the model of the successful teachers placement program known as the 'Troops-to-Teachers program', by recruiting, preparing, placing, and supporting career-changing professionals who have knowledge and experience that will help them become such teachers.

(b) PROGRAM AUTHORIZED.—

(1) AUTHORITY.—The Secretary is authorized to use funds appropriated under paragraph (2) for each fiscal year to award grants, contracts, or cooperative agreements to institutions of higher education and public and private nonprofit agencies or organizations to carry out programs authorized by this section.

(2) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated \$9,000,000 for fiscal year 2000 and such sums as may be necessary for each of fiscal years 2001 through 2004.

(c) APPLICATION.—Each applicant that desires an award under subsection (b)(1) shall submit an application to the Secretary containing such information as the Secretary requires, including—

(1) a description of the target group of career-changing professionals upon which the applicant will focus its recruitment efforts in carrying out its program under this sec-

tion, including a description of the characteristics of that target group that shows how the knowledge and experience of its members are relevant to meeting the purpose of this section;

(2) a description of the training that program participants will receive and how that training will relate to their certification as teachers;

(3) a description of how the applicant will collaborate, as needed, with other institutions, agencies, or organizations to recruit, train, place, support, and provide teacher induction programs to program participants under this section, including evidence of the commitment of those institutions, agencies, or organizations to the applicant's program;

(4) a description of how the applicant will evaluate the progress and effectiveness of its program, including—

(A) the program's goals and objectives;

(B) the performance indicators the applicant will use to measure the program's progress; and

(C) the outcome measures that will be used to determine the program's effectiveness; and

(5) such other information and assurances as the Secretary may require.

(d) USES OF FUNDS AND PERIOD OF SERVICE.—

(1) AUTHORIZED ACTIVITIES.—Funds under this section may be used for—

(A) recruiting program participants, including informing them of opportunities under the program and putting them in contact with other institutions, agencies, or organizations that would train, place, and support them;

(B) training stipends and other financial incentives for program participants, not to exceed \$5,000 per participant;

(C) assisting institutions of higher education or other providers of teacher training to tailor their training to meet the particular needs of professionals who are changing their careers to teaching;

(D) placement activities, including identifying high-need local educational agencies with a need for the particular skills and characteristics of the newly trained program participants and assisting those participants to obtain employment in those local educational agencies; and

(E) post-placement induction or support activities for program participants.

(2) PERIOD OF SERVICE.—A program participant in a program under this section who completes his or her training shall serve in a high-need local educational agency for at least 3 years.

(3) REPAYMENT.—The Secretary shall establish such requirements as the Secretary determines appropriate to ensure that program participants who receive a training stipend or other financial incentive under paragraph (1)(B), but fail to complete their service obligation under paragraph (2), repay all or a portion of such stipend or other incentive.

(e) EQUITABLE DISTRIBUTION.—To the extent practicable, the Secretary shall make awards under this section that support programs in different geographic regions of the Nation.

(f) DEFINITIONS.—As used in this section:

(1) The term 'high-need local educational agency' has the meaning given such term in section 2061.

(2) The term 'program participants' means career-changing professionals who—

(A) hold at least a baccalaureate degree;

(B) demonstrate interest in, and commitment to, becoming a teacher; and

(C) have knowledge and experience that are relevant to teaching a high-need subject area in a high-need local educational agency.

(e) AUTHORIZATION OF APPROPRIATIONS.— There is authorized to carry out this section \$25,000,000 for fiscal year 2001.

The CHAIRMAN pro tempore. Pursuant to the order of the House on Monday, June 12, 2000, the gentleman from Indiana (Mr. ROEMER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to offer a bipartisan amendment offered by myself, my good friend, the gentleman from Florida, (Mr. DAVIS), and my good friend, the gentleman from Michigan (Mr. UPTON). I also rise to offer an amendment that is offset, \$25 million towards the transition to teaching, to bring new people in second careers into teaching, in math and science and technology, three of the real concerns that we have for improvement in the quality of teaching today.

It is offset. It is offset by a \$25 million cut from the fund for the improvement of education.

□ 1315

So I do not know what the majority's opposition to this is. It is a brand new program based on a successful program that is currently working called Troops-to-Teachers. The Troops-to-Teachers idea was to help people move from the military to the teaching profession. Right now that 1994 program has 3,300 former military people teaching in schools, and 83 percent of them have stayed in inner-city school or rural school hard-to-teach areas.

What is the difficulty? It is a bipartisan amendment. It is offset. It is based on a successful idea to bring new people into the teaching profession.

Now, we might hear from the majority that this is legislating on an appropriations bill. Only in Washington do you hear such terminology, "legislating on an appropriations bill," which means a bipartisan bill with a good idea and a solid track record might not even get a vote on it.

So I am exasperated. I cannot figure out why an education subcommittee of the Committee on Appropriations would rule out of order an innovative, creative idea, with such promise for quality in the teaching profession.

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

The CHAIRMAN pro tempore (Mr. PEASE). Does the gentleman from Texas (Mr. BONILLA) continue to reserve his point of order?

Mr. BONILLA. Mr. Chairman, I continue to reserve my point of order.

The CHAIRMAN pro tempore. Does the gentleman from Wisconsin (Mr. OBEY) wish to claim the time in opposition?

Mr. OBEY. Mr. Chairman, if the gentleman from Texas (Mr. BONILLA) is not going to claim the time in opposition, then I will claim the time in opposition to this amendment.

The CHAIRMAN pro tempore. The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in reluctant opposition to the amendment. I very much support where the gentleman wants to put this money, but I do not agree with where he wants to get it. I think the same problem lies with this as it lies with other amendments. So, at the proper time, if it is pursued to a vote, I would have to urge the House to oppose it.

Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. ROEMER), and ask unanimous consent that he be allowed to control the time.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ROEMER. Mr. Chairman, I yield 1 minute to my friend and neighbor, the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I thank my Hoosier colleague and friend for yielding me time.

Mr. Chairman, I want to lend my support to the gentleman's amendment. I agree with the offset, and I believe it is commendable that the gentleman has an offset. But I also think that there are few issues that are of importance to our education system as much as where we are going to get the math, science and technology teachers for the next generation.

We do job training through the Federal Government, we do transitions' training through the Federal Government, and we do teacher training through the Federal Government. This crosses all different categories. This is not a new innovation.

I hope that if we cannot get it done today, we can move it through the authorizing committee. I think it is a great idea. Our only hope really to address this question is how we can get people moving from the private sector, many of whom have made their money in the private sector and may be willing to come back and teach our young people, or we will not be able to compete worldwide.

Mr. Chairman, I thank the gentleman for his leadership.

Mr. ROEMER. Mr. Chairman, I thank the gentleman for his support of this amendment.

Mr. Chairman, I yield 2 minutes to my good friend, the gentleman from the State of Florida (Mr. DAVIS), who has worked so hard on this bill.

Mr. DAVIS of Florida. Mr. Chairman, we face, over the next 10 years, a need to hire over 2.2 million new teachers in this country. In my home, the Tampa Bay area, 7,000 new teachers we will need over the next 10 years. The problem is there is already a cut. School districts around the country are already starting to experience a lot of difficulty in attracting qualified teachers.

Well, today we can adopt a solution to that. We can adopt an amendment that is a Transition to Teaching Act,

that will allow people who aspire to be teachers to go back to school to qualify for up to a \$5,000 grant to cover their tuition and fees. In return, they must meet the same high standards that anyone else would need to be certified in their particular State, and they must spend at least 3 years teaching in a school with a high level of poverty, the schools having the greatest difficulty attracting the teachers we need today.

Most importantly, we are finding that around the country people that are prepared to move from the boardroom to the classroom, from the police station on Main Street to the school on Main Street, are valuable teachers. They are using their life experience to reach out to kids, to help them get excited and engaged in learning.

This amendment adopts the President's budget proposal of \$25 million to start this program. It has bipartisan support. It has passed unanimously in both the House and the Senate. This is something we can do today to begin to equip our school districts and States to deal with this teacher shortage problem; not just to replace teachers, but also to bring more quality in the classroom by allowing these professionals to use their life experience to succeed as teachers.

Mr. Chairman, I would urge adoption of the amendment.

Mr. ROEMER. Mr. Chairman, I yield myself the balance of my time.

Mr. OBEY. Mr. Chairman, I yield the gentleman from Indiana (Mr. ROEMER) 2 minutes.

The CHAIRMAN pro tempore. The gentleman from Indiana (Mr. ROEMER) is recognized for 3 minutes. The gentleman from Wisconsin (Mr. OBEY) has 1½ minutes remaining and the right to close.

Mr. ROEMER. Mr. Chairman, I thank the gentleman for yielding me time, as well as his hospitality on that issue.

Mr. Chairman, the issue I close on in this bipartisan debate is we are trying to be innovative, and we are piggybacking on a successful idea called Troops-to-Teachers that has transitioned thousands of people from the military sector into the teaching sector. Now we are trying to transition people, from accountants, police officers, people in high technology jobs, into the teaching profession. It is a bipartisan idea, supported by the gentleman from Indiana (Mr. SOUDER), the gentleman from Michigan (Mr. UPTON), the gentleman from Florida (Mr. DAVIS), and me. It has an offset, so it is fiscally responsible.

I would like to ask somebody on the Republican side to tell me substantively why they disagree with this issue? I would be happy to yield the next 10 seconds to them to disagree with it.

Nobody rises on the Republican side to show any opposition to this amendment, which we have worked on, which the House has passed, which the Senate has passed, which we are trying to get

through procedural obstacles and distractions, some way of bringing a good idea from the floor of the House to the American people.

We would hope that there would be some kind of bipartisan support between Republicans and Democrats, since both support this idea, that we could get this bill on the suspension calendar or as a separate piece of legislation through this body to help the critical need for more teachers in America.

We have a digital divide, Mr. Chairman, with too many poor kids not having access to technology. We have a teaching divide in this country, where so many teachers may not get access to technology, or, when they get a donation of a brand new computer, they do not know how to use it. They are not equipped with the software and the skills to teach that technology to young people in inner-city or rural areas. This amendment deals with that shortage and that paucity, but, because of obstacles by the majority side, we cannot get this amendment voted on today.

So I would hope in the future when we have an education idea that is bipartisan, that is based on a successful idea that is working, that has been passed by the House and the Senate, I would hope that we could get some cooperation to support this legislation in the future.

Mr. GOODLING. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Chairman, the gentleman wanted somebody to stand up in opposition. I could not get any time. My problem is the gentleman is authorizing on an appropriations bill. The gentleman helped us create TEA. Get the gentleman's two Members of the other body to move, and all of these things that the gentleman wants to do here are included in that, and then it will be done properly.

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN pro tempore. The gentleman is recognized for 1½ minutes.

Mr. OBEY. Mr. Chairman, this amendment proposes in part a good idea. It wants to take the concept of using retired military people in the classroom and add to that the concept of also using retired civilians in the classroom, especially to deal with problems like math and science. That is a terrific idea, and we ought to do it. The amendment that we will be offering later in the bill will do it; it just will not do it by damaging some of the programs that would be damaged if we funded that increase by reducing the programs the gentleman is trying to reduce.

I understand that the gentleman is forced to do that because of the rule under which we are operating. That is not his fault. But eventually we are going to have to do it the right way,

and at that point I will look forward to the gentleman's full support, because I think the gentleman will be happy with the product that we produce after the President eventually is able to convince the majority party that they are not going to go home until they restore the money which they have cut from his education budget. I will predict that will include initiatives such as this.

Mr. Chairman, I yield back the balance of my time.

POINT OF ORDER

The CHAIRMAN pro tempore. The gentleman from Texas (Mr. BONILLA) reserved a point of order. Does the gentleman from Illinois insist on the point of order?

Mr. PORTER. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law." This does that. I ask for a ruling from the Chair.

The CHAIRMAN pro tempore. Does the gentleman from Indiana desire to be heard on the point of order?

Mr. ROEMER. Mr. Chairman, with your patience and diligence, only in Washington, D.C., can you have a point of order on legislation on an appropriations bill on a bipartisan amendment that is on a successful idea that has an offset and does not take money and harm other programs.

I reluctantly, very reluctantly, concede the point of order on a technical Washington, D.C. term.

The CHAIRMAN pro tempore. The point of order is conceded and sustained.

The Clerk will read.

The Clerk read as follows:

READING EXCELLENCE

For necessary expenses to carry out the Reading Excellence Act, \$65,000,000, which shall become available on July 1, 2001 and shall remain available through September 30, 2002 and \$195,000,000 which shall become available on October 1, 2001 and remain available through September 30, 2002.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title IX, part A of the Elementary and Secondary Education Act of 1965, as amended, \$107,765,000.

BILINGUAL AND IMMIGRANT EDUCATION

For carrying out, to the extent not otherwise provided, bilingual, foreign language and immigrant education activities authorized by parts A and C and section 7203 of title VII of the Elementary and Secondary Education Act of 1965, without regard to section 7103(b), \$406,000,000: *Provided*, That State educational agencies may use all, or any part of, their part C allocation for competitive grants to local educational agencies.

AMENDMENT NO. 15 OFFERED BY MRS. LOWEY

Mrs. LOWEY. Mr. Chairman, I offer Amendment No. 15 as the designee of the gentleman from Wisconsin (Mr. OBEY).

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mrs. LOWEY: Page 53, after line 14, insert the following:

SCHOOL RENOVATION

For grants and loans to carry out school renovation under title XII of the Elementary and Secondary Education Act of 1965, \$1,300,000,000, which shall become available on July 1, 2001 and shall remain available until expended, of which (1) \$50,000,000 shall be for grants to local educational agencies (as defined in section 8013(9) of such Act) in which the number of children determined under section 8003(a)(1)(C) of such Act constituted at least 50 percent of the number of children who were in average daily attendance in the schools of such agency during the preceding school year; (2) \$125,000,000 shall be for grants to local educational agencies (other than those eligible under paragraph (1)); and (3) \$1,125,000,000 shall be for the costs of direct loans to local educational agencies: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$7,000,000,000: *Provided further*, That notwithstanding any provision of titles XII and XIV of the Elementary and Secondary Education Act of 1965, the Secretary of Education shall make these grants and loans subject to such terms and conditions as the Secretary shall establish.

Mr. PORTER. Mr. Chairman, I reserve a point of order.

The CHAIRMAN pro tempore. A point of order is reserved.

Pursuant to the order of the House of Thursday, June 8, 2000, the gentleman from New York (Mrs. LOWEY) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from New York (Mrs. LOWEY).

□ 1330

Mrs. LOWEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have an amendment to include a package of \$1.3 billion in grants and loans for urgently needed repair and modernization at our Nation's crumbling schools.

The desperate need to repair America's school schools is not a new issue for any of us. Four years ago, I conducted a survey of New York City schools and discovered that one in every four schools holds classes in areas such as hallways, gyms, bathrooms, janitors' closets. Two-thirds of these schools had substandard critical building features such as roofs, walls, floors.

This is an outrage. This is a disgrace. In response to that shocking study, I worked with the administration to author the very first school modernization bill in 1996. It is now 4 years later. School enrollment is skyrocketing.

High-speed modems and the wiring to support them is no longer a luxury. We have kids in the United States of America attending classes in rooms with asbestos-filled ceilings and in rooms heated with coal stoves. It would be laughable if it was not so disgraceful and potentially tragic.

Some of my colleagues will say this is not a Federal responsibility but the fact is that the States are doing the best they can. They need a partnership. They need Federal dollars to fill in the holes. In fact, the National Education Association estimates that the unmet school modernization need in America's schools totals over \$300 billion, and that is on top of what school districts and States are already spending.

The problem is simply too big for local and State officials to handle alone. Simply stated, the need for school modernization is a national problem that demands a national response.

The Federal government, in my judgment, has a responsibility to ensure that public education is more than a promise, and our students cannot learn when the walls are literally crumbling around them. That is why we just should not end this session, Mr. Chairman, without providing at least this proposal for emergency school repair.

Frankly, Mr. Chairman, this is an issue where we will either pay now or we are going to pay later. If we do not provide the resources even for this targeted emergency assistance, we will continue to undermine our students and teachers as they struggle to meet standards and achieve academically.

We can spend the money now, targeted at the most urgent repairs first, and its reach will be broad. Through loans and grants, \$1.3 billion would be leveraged with local dollars to provide \$7 billion for approximately 8,300 school projects. The funding will go to high-need school districts for critical repairs such as ceilings, leaky roofs, and removing asbestos.

Pay now, or pay later in lower student achievement, even more burdened teachers, and potentially, even accident or injury in crumbling schoolrooms.

America's children need us to make the right choice now, to use this opportunity we have in this time of unprecedented prosperity to rebuild their schools and lift up the quality of their education. If we fail as a Congress once again to take action to meet our school modernization needs, it is wrong and we are going to pay.

I urge my colleagues to join me, acknowledge the shameful physical condition of our schools, give some relief to our States and localities. We cannot give our students a 21st century education in 19th century schools.

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

The CHAIRMAN pro tempore (Mr. PEASE). Pursuant to the order of the House, points of order are reserved.

Does the gentleman from Illinois (Mr. PORTER) wish to claim the time in opposition?

Mr. PORTER. I do, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Illinois (Mr. PORTER) is recognized for 15 minutes.

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, for at least 212 years of our Republic the schools in our country, the public schools, have managed to handle their own construction. They have done a pretty good job of it. It has never ever been a Federal responsibility, nor should it be.

As the gentlewoman points out, there is an estimate of over \$300 billion in unmet needs. I do not doubt the needs at all. The needs are there. The question is, who should be funding it? I think, as throughout our entire history, our local school districts, aided by the States, should provide for this need.

If we had an allocation of \$300 billion more, Members might be able to make an argument that there are sufficient funds to do this right now. But we do not have an allocation anywhere near that. To get the Federal government into this area of responsibility would undermine local control of public education. Local control is at the heart of our educational system in America. This is not another area where the Federal government ought to go in.

One of the things that was done in the last Congress was to pass the Taxpayer Refund and Relief Act of 1999. This Act included the national public school construction initiative. This initiative would have made permanent changes in bond rules so that State and local governments issuing public school construction bonds could take increased advantage of arbitrage rebate rules to help finance school construction and renovation.

Unfortunately, the President of the United States vetoed that legislation when it was laid on his desk.

I cannot see the possibility of the Federal government undertaking the kind of spending responsibility contemplated in this amendment. The States are doing very well. The economy is performing very well. State coffers are overflowing. The money is actually being spent by many of our States to support this State responsibility and to improve the condition of the schools, as it should be.

Mr. Chairman, it seems to me that this matter is a responsibility of another level of government, not a Federal responsibility. It will be undertaken properly and carried out by States and localities. We should not get the Federal government into yet another area of local control.

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

Mrs. LOWEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentleman, but briefly, as the gentleman well knows, after World War II, the United States did respond to the tremendous demand for schools and we built schools. We understood at that time that education was a priority.

All I am saying, Mr. Chairman, is that there is a tremendous problem in this country. Two hundred years ago we did not have computers in every classroom. Pencils and pens were ade-

quate. We need to wire our schools. We need to provide computers. We need to ensure that every youngster has the best education they can.

Mr. Chairman, I am very pleased to yield 90 seconds to my good colleague, the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Chairman, I rise in strong support of the Lowey amendment. Our local school districts cannot raise sufficient funds to do all that is needed, desperately needed school construction funds to repair schools and to improve the overcrowding situation.

The city of Santa Maria lies in the heart of my Central Coast district. It has some of the worst overcrowding problems in the country. They have tried repeatedly to raise bonds, funds for this, and were not able to do it.

I recently visited Oakley School in Santa Maria, a school built originally for 400 students with an enrollment now of over 900. The school is forced to use precious playground space for 14 portable classrooms, which requires them to hold three different lunch periods. The first lunch period starts at 10:30 in the morning.

Mr. Chairman, I am so disappointed that we have done nothing in this 106th Congress to address the overcrowding and needed repairs in our schools across the country. The families of the Central Coast of California have told me again and again that school construction funding is their number one priority.

Just this morning I met with some middle school students from Santa Lucia school in Cambria where they carved up their multipurpose building into classrooms, and they have used their library for classrooms. I myself as a school nurse know what it is like to do vision and hearing screening in the janitors' closets.

Mr. Chairman, I believe this Congress has to treat school construction in a manner that reflects the importance of our schools and of our education in society and in our communities today. I ask Members to show their support for schools and students in need. Support the Lowey amendment.

Mr. PORTER. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the authorizing committee.

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

Mr. GOODLING. Mr. Chairman, I am a little confused as to where the administration stands on school construction.

Back in 1995, we had a rescission of the funding that was already appropriated, and then in the President's 1996 budget he put no money in for any kind of construction. We got out of his language in that budget request, "The construction and renovation of school

facilities has traditionally been the responsibility of State and local governments financed primarily by local taxpayers," and now, this is the administration I am quoting, not me, "primarily by local taxpayers. We are opposed to the creation of a new Federal grant program for school construction. No funds are requested for this program in 1996. For the reasons explained above, the administration opposes the creation of a new Federal grant program for school construction."

That is the administration doing the talking here. Then, of course, we passed legislation that would have made permanent changes to bond rules, so that State and local governments issuing public school construction bonds could more easily comply with the arbitrage rebate rules. Guess who vetoed that?

So it is a little confusing as to where the administration stands on school construction. All schools would be eligible to take advantage of that change in the arbitrage rules, unlike the President's proposal, which is a limited eligibility.

We already provide school construction assistance for schools that show a need for additional funds. The qualified zone academy bonds program provides \$400 million of tax credits to investors who purchase bonds issued by qualified zone academies for school renovation projects.

What is also confusing is when they offer an amendment like this with so little money, and then they do not prioritize. I do not understand that. It seems to me with that small amount there certainly would be a priority list. Otherwise, it gets misused.

Again, it is confusing because I am reading what the administration is saying, and the administration is saying over and over again, both in their veto of the tax bill and also back in 1996, that they thought that this is a place they do not want money because they thought it was the for local taxpayers.

Last night I was amazed because the gentleman said, oh, but it was your administration that was administering these programs. I have news for them, they administered the programs just exactly as the majority said they had to administer the program. They had to send the money, that is all they said. They never went out to look to see what was happening with the money. They said, you send the money where we said the money goes. So do not give me that foolish, facetious argument.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Maryland (Mr. HOYER), a member of the committee

Mr. HOYER. Briefly, the distinguished chairman talked about waste, fraud, and abuse. They did not cancel one Head Start program under their administration, I told the chairman, and he said that, as well. It was Donna Shalala that came along and said if

Head Start is not working, we are going to shut down programs.

Mr. Chairman, the chairman of our committee continually says, regrettably, we do not have the money. He does not say we ought not to do it. He says, regrettably, we do not have the money. That is a self-imposed tax-cutting limitation. That is why we do not have the money, because they have determined that the wealthiest in America needed more than the children in America.

The President does have a program, as the chairman knows. For the jurisdictions that have the money to sell bonds he allows a tax credit, which makes them a little cheaper and therefore easier to sell, and therefore easier to proceed to provide the classroom space that our children so desperately need and that teachers need to have safe schoolrooms in which to teach.

This program supplements it for the neediest children in America. Are we so parsimonious that we will not do that for the neediest children in America?

The CHAIRMAN pro tempore. Does the gentleman from Texas (Mr. BONILLA) claim the time of the gentleman from Illinois (Mr. PORTER)?

Mr. BONILLA. Yes, Mr. Chairman. The CHAIRMAN pro tempore. The gentleman from Texas is recognized.

Mr. BONILLA. Mr. Chairman, I yield 15 seconds to the gentleman from Pennsylvania (Mr. GOODLING).

Mr. GOODLING. Mr. Chairman, I just want to remind everyone in the Chamber that the Secretary only made that decision after we said, from the Congress, we are not interested in quantity anymore, we are interested in quality. It did not matter whether it was the Johnson administration, it did not matter whether it was the Reagan administration, they did not have that edict from the Congress. They now do, and she is taking advantage of what we have given her.

□ 1345

Mr. BONILLA. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. MILLER), a member of the subcommittee.

Mr. MILLER of Florida. Mr. Chairman, I thank my colleague from the subcommittee, the gentleman from Texas (Mr. BONILLA), for yielding me this time.

Mr. Chairman, this amendment is another one of these theme amendments from the other side and basically what has happened, the goal is to basically undermine the budget process that we have. The budget process was adopted back in the 1970s to try to put some fiscal discipline in our spending programs here in Congress. It did not work for the first couple of decades, while the Democrats controlled this House, and once we started getting a handle on our fiscal problems and now we have a surplus, the idea is let us forget about the budget process and let us just spend, spend, spend.

The way the budget process works is, we propose a budget in the House and

in the Senate. We agree to a budget. We agree to a set of numbers. This was passed by a majority in the House and a majority in the Senate. Now we have to live with these numbers. I know some do not like the budget that was adopted but the majority of the Congress adopted this budget and we have to live within this budget.

So that is what we are doing is saying are we going to believe in the budget process or are we going to just undermine it? That is what the basic objective we are talking about here is.

Now, when we have a surplus, the question is what do we do with all of our extra money? I mean, it is exciting to spend money and there are a lot of good programs in the Federal Government but the problem is we have to establish priorities. There are some, I think, very high priorities.

For example, I am a very strong supporter of the National Institutes of Health, as I think many of my colleagues on the other side are. We want to attack cancer with research. We want to go after the problems of Alzheimer's and Parkinson's diseases. That is a high priority. We are concerned about world health problems with the CDC, but all of a sudden now we have a new program.

Last night we just appointed conferees to the Subcommittee on Military Construction. Maybe we are moving in the direction of having a school construction subcommittee, because this is a slippery slope. When one starts putting a billion here to start with, it is not too much; a billion in Washington it does not seem like a lot of money to some people but it is a slippery slope.

There is a need. There is a problem with education. There is a problem with our school systems, but this is traditionally done at the State and local level. That is where we need it to remain. If we want to help our schools, let us relieve them with special education funding but we have to still live within the principles of a budget. If we want to stay responsible and keep this surplus and preserve it and not get ourselves in the hole where not too many years ago we were looking at \$200 billion deficits as far as the eye could see, let us start spending money.

I mean, we are talking about billions and billions of dollars in these theme amendments that totally destroy and undermine the budget agreement. This is a totally new program. It is not authorized. It is my opinion it should be defeated.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. FORD), a fighter on school modernization, who understands how important it is.

Mr. FORD. Mr. Chairman, I thank the gentlewoman from New York (Mrs. LOWEY) for yielding me this time.

Mr. Chairman, we get called back here every week to name post offices and to even fund unwanted aircraft carriers, but when it comes time for us

to confront education head on we begin to fiddle, Mr. Chairman. We send money from the Federal Government to build roads, to build highways. I am always fascinated when I hear my colleagues on the other side suggest that this is a local issue, this is local control. They did not complain when the home builders came before us recently asking that local land disputes be decided in Federal courts. Neither did I. I supported it.

They do not come complaining that building prisons is a local issue when those at the local level say we need more money to throw criminals in jail, which I support. But when it comes time to build schools, to provide children with an opportunity to learn in a safe and clean and learner-friendly environment, they begin to buckle, they begin to flinch. They begin to point fingers and suggest that it is not our responsibility.

Name me a prison in America, Mr. Chairman, that closes early, as 30 of my schools do during the summertime because they have no air conditioning. There is not one.

I would hope my colleagues on the other side could do better by our kids. We ought to be thankful they cannot write campaign checks like the gunmakers, the insurance industry, and the pharmaceutical industry. If they could, perhaps we could give a better answer than the answer we are giving today.

Mr. BONILLA. Mr. Chairman, I yield 3 minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Chairman, I thank the gentleman from Texas (Mr. BONILLA) for yielding me this time.

Mr. Chairman, as the individual who heads the subject matter of K through 12 education, the Committee on Education and the Workforce, there are a few figures we need to trot out here in the overall understanding of what we are doing.

One figure is simply this: In the five previous years, including two Presidents, the Republicans have put an increase of 48.2 percent in education funding K through 12, or 8.2 percent per year. In the 5 years before that, when the Democrats were in charge of the Congress under two Presidents at that time, the total was 32.9 percent or 6 percent a year, a lesser percentage than the Republicans have been putting in, in the last 5 years.

There are a lot of reasons for this: A President who cares about education; a Congress which cares about education; both parties which care about education, but we need to be very careful in saying who is slighting education because the last 5 years have been the highest increases in K through 12 education in the history of the Congress of the United States.

Now we get to the issue of school construction here. There is a lot of room for expenditures. That is being done in this budget, as in other budgets. We also can, frankly, afford some

of the tax cuts that have been talked about and debt retirement. I understand we are probably going to have an extra trillion dollars here very shortly.

The real issue is what are we supposed to be doing about this? I know when I was a governor, we fought hard to reduce the size of the classrooms in K through 3 because we thought that was so important, but we also fought hard for school construction; mostly done at the State level. That indeed is a State function, something which we thought a great deal about in terms of what we had to do.

Yet in Delaware, a State which has, according to all the studies, relatively good schools, we need a billion dollars for new schools. If we take that and extrapolate that over 435 congressional districts because that is just one congressional district, that is \$435 billion. If we put together a program like that, it is probably \$500 billion. Others will say it is \$300 billion.

In the event, that is the low. I would say it is something higher than that.

We are talking here about \$1.3 billion. Maybe if it can be leveraged, some more; but if it is leveraged, money is owed. So even if one gets to \$7 billion, they are talking about an absolute drop in the bucket. That is the problem with this. We are buying into a program which is a State and local responsibility, with a very small sum of money, so that we can stand up politically and say that we have solved the problems of construction of our schools.

This does not even begin to do that. We all need to understand it and, in my judgment, it probably should not be a Federal responsibility. If it is, let us look at what the Federal Government has mandated or facilitated to the States, including dealing with IDEA, dealing with technology, dealing with safety, dealing with the OSHA requirements, whatever it may be. Maybe in that area we could do something but, in my judgment, an open-ended construction bill is not the way to go, and we need to be very careful about this. We need to have further discussions. Perhaps something can be done, but I do not think this is the solution right now.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. ETHERIDGE), a leader in education.

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

Mr. ETHERIDGE. Mr. Chairman, I brought this chart up here because we talk about numbers. I want people to understand, we are not talking about a static number. We are talking about the growth in the number of students in high school over the next 10 years, the greatest we are facing in this Nation's history in terms of numbers.

So if we are talking about how much we have increased the budget, we need to reflect. We have not increased it anywhere near what we need to be increasing it to meet the needs.

We need to pass the Lowey amendment, to restore the administration's plan to assist our local schools in repairing the schools that need to be repaired instead of this massive tax cut that we are talking about.

As a former superintendent of my State schools, I know firsthand that we need to invest in schools to help our children get individual attention, to have proper discipline and instruction that they need to meet the skills of the 21st century, and this \$1.3 billion will restore 5,000 local schools that badly need it.

We can see from this chart that would only be a scratch in where we need to go.

Mr. Chairman, there is a lot that needs to be done. I grew up on a farm, and there is one thing a person understands. One does not eat the seed corn, and this Congress is about to do that.

Mr. Chairman, I rise in strong support of the Lowey amendment that restores the administration's plan to assist repair plans for local school buildings. This bill would kill that plan to finance the majority's massively irresponsible tax scheme. I strongly oppose those misplaced priorities.

As the former superintendent of my state's public schools, I know firsthand we must invest in our schools so that students get the individual attention, discipline, and instruction they need to learn the skills to succeed in this New Economy. This amendment will restore to the bill \$1.3 billion for 5,000 local school districts across the country to fix leaky roofs, upgrade plumbing, and bring schools into compliance with local safety codes. Common sense tells us that no school can provide an adequate education if children are subjected to substandard facilities.

Mr. Chairman, budget choices come down to a question of our values. Do we value investment in our nation's future by providing our children the best education in the world? Or do we fritter away that future by acting like drunken sailors when it comes to tax cuts? I support responsible tax relief for middle class families, but we must not raid the Treasury and jeopardize our ability to make necessary investments.

Mr. Chairman, I grew up on a small farm. The farm teaches you hard lessons. I believe cutting education to finance massive tax breaks is as dumb as eating your seed corn. I call on my colleagues to reject the Republican majority's misguided values, reject this bill and vote for the Lowey amendment.

Mr. BONILLA. Mr. Chairman, I yield an additional minute to the gentleman from Pennsylvania (Mr. GOODLING).

Mr. GOODLING. Mr. Chairman, I thank the gentleman from Texas (Mr. BONILLA) for yielding me this additional time.

Mr. Chairman, it is nice to have all these Johnny-come-latelys. For 22 years, I tried to get 40 percent of excess spending back to the local districts as far as special ed is concerned. If the majority had done that for all these years, Los Angeles, for instance, would have been getting an extra 100 million dollars every year. Can one imagine what they could have done in school construction, what they could have

done in class size reduction? Chicago would have gotten \$76 million extra every year. New York City would have gotten \$170 million extra every year. Imagine what they could have done.

Again, I could not get them to move to get that 40 percent of excess funding back to those local districts, so their money would be freed to do just the things that we think now is our responsibility: Class size reduction; school construction. All the money would have been available, but they had to take their money for our mandate and so they could not do the kinds of things they should have been doing in relationship to class size reduction, in relationship to construction.

Again, I am confused about where the administration stands on construction.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Oregon (Ms. HOOLEY), my good friend and leader.

Ms. HOOLEY of Oregon. Mr. Chairman, I rise to show my strong support for the Lowey amendment. This is a crisis. When we have had crises before, the Federal Government has, in fact, stepped in. Over the last 4 years, I visited many of the schools in my district and, frankly, I was shocked by the conditions I found.

Our teachers are holding classes in trailers because their classrooms aren't safe. Students crowd into these rooms. They sit on floors. They sit on radiators. They have classes in closets. Just this morning, a gentleman came into my office. He said his daughter in high school went into a classroom, 40 chairs, 60 students.

Schools in my district are being forced to trade teachers for bricks and mortar. These children cannot afford the trade-off and they should not have to expect to choose between safe and adequate classrooms and more teachers.

Studies show that on the average, students who attend schools in poor conditions score lower on achievement tests. This is just one more hurdle our students should not have to jump through.

One-third of all of our schools need extensive repair and over half of our schools need repair of at least one major building. Please support this amendment. It provides the States the much-needed assistance to renovate the decrepit schools.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. CROWLEY), my good colleague, and a leader on school construction. I have seen his district and the need is clear.

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

Mr. CROWLEY. Mr. Chairman, I rise in support, in strong support, of the Lowey amendment. School renovation and construction is of the utmost importance to our children and to the future of our country.

My colleague from New York has been a leader in the fight for Federal

funding for school renovation and construction assistance.

Schools, as part of our Nation's infrastructure, are in desperate need of repair and modernization. One-third of our Nation's schools were built prior to World War II. In the city of New York, the average age of a school is 55 years of age, and one out of five schools is over 75 years of age.

I have the most overcrowded school district in New York City, School District 24, which is operating at 119 percent of capacity. Additionally, enrollment is increasing by 30,000 every 5 years. My colleagues from New York are seeing similar problems arise.

How can we expect our children to work hard and care about their education and their future when they have classrooms that were formerly closets or bathrooms? That is not showing that we care about our children.

I ask, would someone allow their child to attend a school that has a roof falling in or fire alarms that do not work? Congress is allowing their children to go to school under those conditions.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentleman from Brooklyn, New York (Mr. OWENS), my colleague who knows firsthand what a tremendous problem we have in our city schools.

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

Mr. OWENS. Mr. Chairman, \$1.3 billion is a very tiny amount, but it is one step forward. \$1.3 billion is \$1.3 billion above zero.

The Republican majority has offered nothing. This small step to take care of emergency repairs will open the door, I hope, to an understanding that our schools are a part of our national security system.

We had 300 personnel short of an aircraft carrier launched last year because we did not have the right personnel to put on. They could not meet the high-tech requirements. We have a bill coming up next week to bring in people from outside the country to take jobs in our high-tech industries. Those same people came from countries that built their own nuclear industry on the basis of what they learned here as students and as workers here.

We need to deal with the problem of \$254 billion needed to bring up our school infrastructure as determined by the National Education Association survey, which was completed recently.

The General Accounting Office in 1995 said we needed \$110 billion at that time. Enrollments have grown. We need to spend on a level which understands that we are going into the 21st century, a cyber civilization.

□ 1400

The CHAIRMAN pro tempore (Mr. PEASE). The gentlewoman from New York (Mrs. LOWEY) has 3 minutes remaining. The gentleman from Texas

(Mr. BONILLA) has 1½ minutes remaining and has the right to close.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY), our distinguished ranking member of the committee, who has been a leader on education.

Mr. OBEY. Mr. Chairman, who are we trying to kid? I have been in this House 31 years, and there has not been a year when the Republicans in this House have not favored less funding for Federal education than Democrats.

Over the last 5 years, first they wanted to abolish the Department of Education. Then they tried to savage every education program that they can get their hands on. Now that the polls are showing that education is increasing in popularity, they are backing away.

Now they act as though somehow the idea of the Federal Government helping local school districts with renovating buildings is a new idea. Franklin Roosevelt, for goodness sake, helped local school districts build 5,200 new schools when he was President in the 1930s. He helped them renovate 1,000 schools that needed renovation.

My colleagues passed a minimum wage bill just a few weeks ago that gave \$11 billion in wage benefits to low-wage workers but gave \$90 billion in tax cuts to people making over 300,000 bucks a year.

What does one have to do to finance this amendment? Cut back that \$90 billion to their wealthy friends to \$89 billion. Is not that a terrible thing to ask to them do?

My colleagues ask why the administration opposed the Archer arbitrage position. It is very simple. Because that provision encouraged delays in construction because delaying construction would mean that schools could have earned additional interest by leaving the money in the bank rather than putting it in the school. That is why the administration opposed that provision and supports this one.

If my colleagues are for education, if they are for helping kids in lousy school buildings get a better deal, support this amendment. I was in a school 2 weeks ago where the furnace room looked like it was in the Titanic, for God's sake.

It is about time my colleagues recognize this is a growing population. There are some communities that do not have the financial power to do this job without Federal help. It is about time my colleagues give it to them.

Mrs. LOWEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I ask my colleagues to forget the old stereotypes. We need a partnership between the Federal, State, and local governments. This is an emergency. I visited a school in New York just a couple of weeks ago where the kids had to move from one side of the gymnasium to the other side of the gymnasium when it was raining. This in the United States of America; this at the time of our greatest prosperity.

Franklin Roosevelt responded to the emergency. If we can build roads, if we can build highways, if we can build bridges, if we can build prisons, Mr. Chairman, let us work and be a partner to the State and local government; and we can reduce the taxes at the same time.

We just do not have to have as large a tax cut as we are proposing. We can respond and make sure that we are really educating every youngster. This is the least we can do. Shame on us if we do not. Shame on us if we do not pass this amendment.

This is \$1.3 billion, and we have a responsibility to all the youngsters in this great country of ours. I ask for my colleagues' support.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The gentleman from Texas (Mr. BONILLA) has 1½ minutes remaining.

Mr. BONILLA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in closing, I am a person who can recall back when I started high school in the late 1960s that, not only did we have a problem with facilities, we had no facilities with which to attend high school classes, and they had to split the class size up. Freshmen and sophomores went in the morning, and juniors and seniors went in the afternoon.

I would venture to say that because of the disarray with the local school board back then, that even if we had a program in place like this, they would have squandered that money; and they would have never seen the light of day and created one single classroom.

The myth exists in this country that some people, and with good intention, stand up and try to say, if we give Washington the power, they can solve all problems locally for us, education, health care, school construction, child care, all of these things, if only Washington will create one more program.

But I venture to say this, the solutions for these problems do lie back in the neighborhoods, and they will not be easy problems to solve. But they must be done at the grassroots level, or the true solutions will never be found. Solutions like this will only, at best, provide a Band-Aid for very temporary relief for a very serious problem.

POINT OF ORDER

Mr. BONILLA. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law."

I ask for a ruling from the Chair.

The CHAIRMAN pro tempore. Does any other Member wish to be heard on the point of order?

Mrs. LOWEY. Mr. Chairman, I concede the point of order. I regret that we were not able to offer this amendment

so we can provide this to our youngsters all throughout the United States.

The CHAIRMAN pro tempore. The gentleman from Texas (Mr. BONILLA) raises a point of order that the amendment offered by the gentlewoman from New York (Mrs. LOWEY) changes existing law, in violation of clause 2(c) of rule XXI.

The amendment, in pertinent part, establishes a new program in the area of school renovation and waives the Elementary and Secondary Education Act to do so.

Clause 2(c) of rule XXI provides that an amendment to a general appropriation bill shall not be in order if changing existing law. This provision has been construed to prohibit the enactment of law where none exists. By seeking to waive existing law and establish a new program, the amendment changes existing law and constitutes legislation on an appropriation bill in violation of clause 2(c) of rule XXI. Accordingly, the point of order is sustained.

The Clerk will read.

The Clerk read as follows:

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act, \$6,550,161,000, of which \$2,557,885,000 shall become available for obligation on July 1, 2001, and shall remain available through September 30, 2002, and of which \$3,742,000,000 shall become available on October 1, 2001 and shall remain available through September 30, 2002, for academic year 2001-2002: *Provided*, That \$9,500,000 shall be for Recording for the Blind and Dyslexic to support the development, production, and circulation of recorded educational materials.

AMENDMENT NO. 16 OFFERED BY MS. DELAURO

Ms. DELAURO. Mr. Chairman, I offer amendment No. 16 by the gentleman from Wisconsin (Mr. OBEY), and I am offering the amendment as his designee.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Ms. DELAURO:

Page 53, line 17, after each of the two dollar amounts, insert the following: "(increased by \$1,510,315,000)".

The CHAIRMAN pro tempore. On this amendment, points of order are reserved.

Pursuant to the order of the House of Thursday, June 8, 2000, the gentlewoman from Connecticut (Ms. DELAURO) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am offering an amendment today that would increase special education funding in this bill by \$1.5 billion. This amendment calls attention to the fact that this bill grossly underfunds the Individuals with Disabilities Act. It fails to put us on the road to full funding by the year

2010. That is the goal this House set with its recent vote of 421 to 3 in support of the IDEA full funding act. That was just a few short weeks ago.

We should be living up to the commitment that we made with that vote and the commitment that this Congress made to help local schools meet the needs of educational needs of children with disabilities when it passed IDEA in 1975.

A number of Members have come to the floor today bemoaning the lack of IDEA funding in this bill. There is a simple reason why we cannot provide additional funding for IDEA, and it is because the Republican leadership proposed a tax cut that benefits the wealthiest 1 percent of Americans, ahead of the special education needs of our children.

If my colleagues supported the Republican budget resolution, they set these priorities in place. Do not now come to the floor of this House and lament the lack of IDEA funding. Because of these misplaced priorities, the needs of special education youngsters will not be met in this bill. We will not be on track to fully fund IDEA by the year 2010.

For so many years, back before IDEA became law, hundreds of thousands of disabled children received no formal education. Those were dark days. We should never go back to a time when the potential of so many bright youngsters with so much to offer was squandered due to a lack of understanding.

We finally opened our eyes to what these children have to offer. The passage of IDEA authorized several programs to support and improve early intervention and special education for infants, toddlers, children, and youths with disabilities. It, in fact, has made a world of difference, but we are not doing enough.

I offered this amendment in the Committee on Appropriations that would have started us on the road to fully fund the Individuals with Disabilities Education Act by adding \$1.5 billion to the bill, bringing the increase in funding for this year up to \$2 billion. That increase would put us on target for fully funding IDEA by 2010 as we said we would in this body.

Without a \$1.5 billion increase this year, we will miss the mark. While it is estimated that it would require \$15.8 billion to fully fund IDEA, the most the Congress has ever spent on the program is one-third of that amount. Mayors, school superintendents, and teachers from across my district tell me again and again that they are struggling to provide these youngsters with the education they deserve.

I might add that we mandate government, the States and local government to provide an education for these youngsters. In fact, what we do is impose an unfunded mandate on them. But this Congress has not made good on its commitment to provide the 40 percent of the cost that schools pay for special education.

These school districts and the children are being shortchanged by a shortsighted policy. And we are shortchanging ourselves by not ensuring that these children receive every opportunity available to learn and to thrive because they can thrive. They have so much to offer us. We just need to give them the chance. We can do that by fully funding IDEA.

I thought we could all agree that IDEA was grossly underfunded. This Congress voted almost unanimously by a vote of 421 to 3 in favor of a resolution that said that we would fully fund this program by 2010. When it came time to put their money where their mouth is, the Republican leadership balked. They rejected moving us forward to fully funding this program and opposed the amendment.

Unfortunately, this House will not have an opportunity to repair this error because the rules of the House require that we must rob from school modernization, Head Start, America's workers, and our seniors if we were to increase funding for IDEA today. The rules set in place by the Republican leadership would force us to rob from the poor to help the poor, and that is wrong.

These needs will go unaddressed in this bill because the Republican leadership refused to scale back the massive tax cut that benefits the wealthiest 1 percent of Americans. If we reduce that tax break by only 20 percent, we could add this funding for IDEA and still provide tax relief for working middle-class families, the families who need it the most.

I urge my colleagues to support this amendment. We will not sit quietly while IDEA receives only lip service while crumbling schools are ignored and while the health care needs of seniors and the uninsured are disregarded in exchange for a tax break for the wealthiest 1 percent of Americans in this country. Support this amendment and oppose the bill.

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) seek to claim the time in opposition to the amendment?

Mr. PORTER. I do, Mr. Chairman.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Illinois (Mr. PORTER) for 15 minutes.

Mr. PORTER. Mr. Chairman, I am very pleased to yield 3 minutes to the gentleman from Florida (Mr. MILLER), a very valued member of our subcommittee.

Mr. MILLER of Florida. Mr. Chairman, I thank the gentleman from Illinois (Chairman PORTER) for yielding me this time; and, of course, I commend him for the great work he has been doing for these past 6 years chairing this committee.

This particular amendment by the gentlewoman from Connecticut (Ms. DELAURO) is a little different than the last amendment because it advocates increasing spending on a program that is, in reality, is a favorite for Repub-

licans. We have done very well over the years in the past 6 years and the past 5 years in appropriations for this program because we really believe very strongly in special education.

However, this is another attempt to undermine the budget process that we have here in the House of Representatives. The Democratic Congress passed a budget process bill back in the 1970s that said we must pass a budget, and we must live within it.

Now that we have a surplus, and now that the budget process is working, let us spend money. It is kind of like kids in a candy store. Hey, we have got a surplus. Let us spend more money.

Well, there are good spending programs, and this is certainly one of the good spending programs in Congress. The Republican Congress in our control of the Congress in the past 5 years has certainly shown our favorable interest in special education.

For me personally, I have a niece who is a special ed teacher back in Manatee County, Florida. I have a sister who is a mother of a special ed student who wrote a book of a mother's perspective for special education. So I have a very personal, committed interest to special education.

That is one reason we continue to see the Republicans have done very well. Look at the chart. The Republicans were in control the 5 years prior to our control in 1995. The President proposed increases of 4 percent, .3 percent, .1 percent, 5.8 percent. We have given double digit increases every year.

For the previous 5 years prior to the Republican control, spending went from \$1.5 billion to \$2.3 billion. In that 5 years is an \$800 million increase. When we took over, spending went from \$2.3 billion to \$5.4 billion. We have more than doubled the spending of special ed in the past 5 years.

So we have made some great strides, some great progress in funding a program. Look what it compares, again, to what happened when the Democrats were under control. In the 1993, 1994 years, they had total control of the White House and Congress and barely increased spending of special ed.

Now they want to undermine the entire budget process to try to score some political points when, in reality, they are kind of Johnny-come-lately. We are the ones who are doing such, I think, a good job. We can use more money. As the gentleman from Pennsylvania (Chairman GOODLING) has been advocating for years, we need to take up the full responsibility to 40 percent. And we are making great strides in that.

□ 1415

Because we have gone from pushing 7 percent now to 13 percent. Not as far as 40 percent, but we are moving in the right direction. If the Democrats had been in control and we followed the President's budget, we would have seen a decline in special education.

It is a very important program, one that we strongly support, but this is

not fiscally responsible. It does not fit in with the budget agreement and so it does not fit in the emergency category, and I advocate the defeat of this amendment.

Ms. DELAURO. Mr. Chairman, may I inquire how much time is remaining?

The CHAIRMAN pro tempore (Mr. PEASE). The gentlewoman from Connecticut (Ms. DELAURO) has 9½ minutes remaining, and the gentleman from Illinois (Mr. PORTER) has 12 minutes remaining.

Ms. DELAURO. Mr. Chairman, I yield myself 30 seconds.

Special education is not, nor should it be, a partisan issue or a partisan program. The fact of the matter is that the introduction of the tax proposal was by the Republican leadership. It seriously underfunds special education only because the Republicans want to provide a tax cut to the richest 1 percent of the people in this country.

It was also a Republican resolution to fully fund IDEA over the next several years, a 421 to 3 vote, one which, I might add, demonstrates a sham to the reality of what this budget is about.

Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. WOOLSEY), who sits on the Committee on Education and the Workforce.

Ms. WOOLSEY. Mr. Chairman, I thank the gentlewoman from Connecticut (Ms. DELAURO) for yielding me this time and for this amendment.

In my district, like all districts around this country, parents of children with special needs are frantic. They are frantic about their children's education. They often feel that their schools are giving them the runaround, while the schools are worried about having the resources to do the job that is needed.

At the same time, the parents of students without special needs are fearful that special ed kids are taking precious resources from their children. Therefore, we are pitting family against family. This cannot continue.

Congress must step up to our responsibility, and we can do it this year while the economy is good and we have a surplus. The DeLauro amendment gets us on the road towards full funding for IDEA without taking one penny from other good programs. By scaling back the proposed cuts for the very wealthiest taxpayers, IDEA can be funded to the Federal commitment.

I urge my colleagues to put education for children with disabilities before tax cuts for the wealthiest Americans. Support the DeLauro amendment and help all of our children and all of our families.

Mr. PORTER. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the authorizing committee.

Mr. GOODLING. Mr. Chairman, my only regret, as I leave this institution, is that the first 20 years I sat there in the minority trying to make everybody understand that the thing that is driving local school districts up the wall

more than anything else is the fact that we are only sending them about 6 percent of the 40 percent we promised them in excess costs to educate special needs children.

Let me review, however, the last 5 years. I am very pleased with the leadership of the gentleman from Illinois (Mr. PORTER). The President asked, in 1997, for \$2.6 billion; the final appropriation \$3.1. The President asked, in 1998, for 3.2 level funding; he got 3.8. Level funding means that he cut in his budget special education, because the increased numbers that came in to special ed, as well as inflation, of course, meant it was a cut.

In 1999, again he sent a budget up here cutting IDEA. At a Christmas function, I asked him if he realized he was cutting IDEA. He said they were putting a lot of money in IDEA. I advised him that he was cutting it with the budget request that he was sending up. Fortunately, under the leadership of the gentleman from Illinois, not his 3.8 in 1999 but 4.3 billion.

He cut it again in his fiscal year 2000 budget, again asking for level funding, which is a cut because of the increased numbers that have come in to special education and the costs of living increases. But thanks to the leadership of the gentleman from Illinois, he did not get that cut down to 4.3. He got an increase to \$4.9 billion.

Again, in this budget, he has requested \$5.2, and under the leadership of the gentleman from Illinois it is \$5.4.

These increases are dramatic. We have doubled the amount that we have been sending in the last 5 years. We do have a long way to go, but, oh, my, I am glad these born-again have now understood that the greatest problem facing local school districts is our unfunded mandate in special education.

So I thank the gentleman from Illinois (Mr. PORTER) for the dramatic increase; a 92 percent increase over the President's 1997 budget request. Those are big bucks. I thank him, and all the school districts thank him as well.

Ms. DELAURO. Mr. Chairman, I yield myself 15 seconds to just say to my colleague who spoke, that the President of the United States is not offering this amendment. This is my amendment. This is our amendment.

It was just several weeks ago when the Republicans offered a resolution on this floor to fully fund IDEA, and we are just trying to get there from here. That is what this amendment is about.

Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I rise in strong support of this amendment to strengthen special education, and I thank the gentlewoman from Connecticut (Ms. DELAURO) for introducing it.

Special education students have particularly acute needs which begin early in childhood. We know that the right attention can make an enormous difference in children's lives and impact

their future. Teachers' aides are needed to provide one-on-one support. Counselors can help disabled children follow often very difficult paths through childhood, adolescence and into adulthood.

Right now schools are forced to make terrible choices. They can put limited funds into special education and deny other basic needs, or they can neglect those children and try to meet the basic needs of other children. Those are choices our schools should not have to make.

Last month the House overwhelmingly passed the IDEA Full Funding Act, so why are we not appropriating the funds to meet the needs of some of our most vulnerable children? This is not right.

I support the DeLauro amendment to increase special education funding without denying other vital programs. Our children must be our national priority, not huge tax cuts for the wealthy.

Mr. PORTER. Mr. Chairman, I yield 3 minutes to the gentleman from Delaware (Mr. CASTLE), a member of the authorizing committee.

Mr. GOODLING. Mr. Chairman, will the gentleman yield?

Mr. CASTLE. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Chairman, just for 2 seconds I wish to indicate to the gentlewoman that I know it is not the President offering the amendment, but she missed my point. For 20 years I sat here trying to get her side to do something about it and they did nothing.

Mr. CASTLE. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I alluded to this earlier, but I think it is very important to understand where we are with respect to spending on education in terms of both political parties.

Basically what this chart shows is a period of time starting with 1990 as a base year that shows the years of 1991 through 1995, in which there was a Republican President and there was a Democrat president. We also had a Democrat Congress during that period of time. It shows what all those expenditures are.

The important thing to understand in all this is that the average increase during that period of time was 6 percent in K through 12 spending. Six percent. What is K through 12? It includes Goals 2000, school to work, ESEA, and vocational education. For a total of a 32.9 percent increase.

In that year, in that particular election, Republicans took over control of the Congress of the United States. And the statistics since that time, with the same Democrat President who was President during a couple of those years before, has been average annual increases in K through 12 education of 8.2 percent. Six percent versus 8.2 percent, or an overall increase of 48.2 percent.

Now, I say all this because we had a whole evening last night, a whole dis-

ussion of the rule last week as well as discussion today in which the basic message has been that the Republicans are sacrificing education because, A, they do not want to spend or, B, they want to give tax cuts to whomever, the wealthy or whomever it may be. The bottom line is that the totals show that Republicans have done more for education in 5 years while in control of the House and Senate, in this Congress, than in any other 5-year period of time, probably in the history industry of the Congress of the United States of America.

Now, I will be the first to say that there is a presidential influence, and there are many other things which are out there, but this is not a Congress which has exactly shirked its responsibilities with respect to K through 12 education.

I am a total believer that that is, of all the programs that we have that could help people, K through 12 education is the one that could help the most. I also believe it is a State and local responsibility, but there is some Federal responsibility. We see it in IDEA, we see it in title I and in a variety of programs that we need to support here, and I believe that we are supporting them.

I am going to borrow the chart of the gentleman from Florida for just a moment, which also shows something else, and that is where we have gone with respect to the subject of this amendment in that special education funding. It shows a tremendous increase by dollars and by percentage since Republicans have taken over control of the Congress of the United States. The very subject matter of this amendment.

This amendment, by the way, is empty. This amendment will probably be stricken down on a point of order. The bottom line is that Republicans have come through on the funding for special education.

Ms. DELAURO. Mr. Chairman, how much time is remaining?

The CHAIRMAN pro tempore. The gentlewoman from Connecticut (Ms. DELAURO) has 6¼ minutes remaining, and the gentleman from Illinois (Mr. PORTER) has 6 minutes remaining, and has the right to close.

Ms. DELAURO. Mr. Chairman, I yield myself 10 seconds.

What is before the House this year is not what has been done in the past but, in fact, what it is we are going to do in this year. The majority party may have been on the right side of the issue in the past; this year they are on the wrong side. We need to deal with the surplus that we have and take care of children's needs today.

Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. OWENS), a champion of education.

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

Mr. OWENS. Mr. Chairman, the gentlewoman from Connecticut is to be

congratulated for speaking on behalf of the overwhelming majority of the Members of this House, the 421 Members who voted to follow the wisdom of the head of the Committee on Education and the Workforce and increase the funding for special education. She is only asking in this appropriations bill that we follow the authorizing move that we made a few weeks ago.

I accept the reasoning of the chairman of the Committee on Education and the Workforce. If we put money in to special education, we are allowing the local education agencies to move that money that they were spending on special education somewhere else. That is a back-door approach, but I will accept any approach to get additional funding for education. So let us do it. Let us not back away from the commitment of \$1.5 billion that we made and only, instead, have a \$500 million commitment.

Let us go all the way and let us realize that the big issue that has been repeated here over and over again is that there is more money for education if my Republican colleagues will yield on their tax cut. Instead of a tax cut commitment, let us have a smaller tax cut and let us dedicate 10 percent of the surplus to education. That is reasonable. Ten percent of the surplus this year and 10 percent of the surplus for the next 10 years will solve the funding problems for the Federal Government with respect to education.

We now only contribute 7 percent. Of the total education bill each year, the Federal Government takes responsibility for only 7 percent. Seven percent is too little. That is a Stone Age, a Neanderthal approach. We need more Federal assistance to education at the local level. The Federal Government is now where the money is. We have a \$200 billion surplus this year, and we will have a \$200 billion surplus for the next 10 years. Let us dedicate 10 percent of that. We can put part of it into school construction, 5 percent, and another 5 percent can be used for special education and more teachers. Ten percent of the surplus is our answer to all of these problems.

□ 1430

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, just this Monday, I met with the Superintendent of Schools in Lynbrook and the Chair of their school board, and they expressed to me the urgency of mainstreaming youngsters in their community. They have been so successful. But it costs money. They had a quadriplegic who cost them \$100,000 a year. And because they have been so successful, they are attracting other youngsters.

It is because of the leadership of this administration that we are in a time of great prosperity. This is the time to respond to the urgent need in education.

I applaud the leadership of the gentleman from Pennsylvania (Mr. GOOD-

LING). And that is why I am so puzzled. Frankly, I do not get it. On May 3, the House passed by an overwhelming bipartisan vote of 421-3 a bill calling for a \$2 billion increase in 2001 and full funding by 2010.

Even with the additional \$1.5 billion provided by the DeLauro amendment, we will still be providing only 17 percent of the national average per pupil.

Please, we should be supporting the DeLauro amendment on both sides of the aisle to move forward on our commitment.

Mr. PORTER. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT), a member of the committee.

Mr. TIAHRT. Mr. Chairman, I thank the chairman for yielding me the time.

Mr. Chairman, I think that we should commend the gentlewoman from Connecticut (Ms. DELAURO) for bringing up a very important issue. Special education funding is the top priority for the governor of Kansas. It is the top priority for the largest school district in Kansas, headed by Superintendent Winston Brooks. They have found themselves all over the State of Kansas trying to fund special ed by taking money for other programs that are very important. So I think that we should focus on special education.

I am disappointed that this amendment was not within the guidelines so that it will be struck on a point of order, as is my understanding. But I think that we should continue our efforts through the course of this bill and as we progress further in this session to try to focus our efforts by getting the appropriate funding for the Department of Education special education portion.

If we look at the amount of money that gets spent right here inside Washington out of the budget the Department of Education gets, about 35 percent of it does not even get outside the beltway, it is spent right here in Washington, D.C.

So if we can direct the money for special education specifically to the school districts, then it will free up some of their money, it will not be wasted here in Washington, D.C., and those students that truly need help are going to receive it.

At the local school district level, it gives them the opportunity to fully fund the programs that are helping the average student and the other students. But those with special needs are going to get the help from Washington if we can focus our resources here.

There are several amendments that will follow. The gentleman from Wisconsin (Mr. RYAN) and myself have one where we are going to have, under the appropriate guidelines, taking some money from a program that has grown dramatically, take a small portion of that and move it over toward special education to help us achieve our goal. I hope that Members of the House will take that into consideration in the future, because it is very important that

we meet the needs of these special students.

Ms. DELAURO. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, the gentleman from Florida has said that we are trying to break the budget process. The majority party has already obliterated the budget process.

Last year alone, the majority provided \$40 billion worth of budget gimmicks to hide \$40 billion worth of spending in the budget.

With respect to special education numbers that have been cited on the floor, let me simply state the facts. Under the Reagan and Bush presidencies, in nine of the 12 years, the Congress provided more money for special education than President Reagan and President Bush asked for.

When the Republicans took over in 1996, they tried to provide \$400 million less than the President provided in special education. And it has only been in the last 2 or 3 years that they have had a road-to-Damascus conversion.

With respect to the overall education numbers cited by the gentleman from Delaware (Mr. CASTLE), the fact is all that chart shows is that he is bragging about the fact that his own party lost the budget fights with President Clinton the last 5 years. Because if you take a look at what you tried to do before the President forced you to change your mind, you tried to cut in fiscal 1996, 1997, 1998, 1999, 2000; and now this year, you have tried to cut a total of over \$14 billion from the President's education budgets.

And then you have the gall to come to the floor and show what you have provided. You provided it after the President dragged it through the room. I know; I was in the room for the last 5 years. I was the Democratic negotiator. And each year he had to drag it to the table to drag those numbers up for education so you could finally do right by America's children.

So let us not hear any more hurrah about either budget responsibility on your side or about how dedicated you are to education. You are the party that started out your stewardship here by trying to wipe out the Department of Education.

Ms. DELAURO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we mentioned Nate from Minnesota. When he entered the first grade, his parents told him he had severe mental retardation. School officials, using testing funded by IDEA, found Nate actually had an extremely high IQ but had serious learning disabilities. They made accommodations for his needs. He graduated from high school and went on to college. With support from his family and school and services through IDEA, he has a very bright future.

All we are asking our colleagues to do is to scale back the tax cuts for those in the top 1 percent of all earners. All they need to do to pay for this

\$1.5 billion is to cut back the size of that tax cut for the wealthy by 20 percent. In that case, we can in fact meet the needs of youngsters with serious disabilities.

We are in an era of surplus. It is one thing if we are in an era of deficit, but we have no excuse not to move to fully funding the IDEA program, as we said on the floor of this House on May 3, 2000.

Let us put our money and our resolve where our mouths are.

Mr. PORTER. Mr. Chairman, I yield myself the remaining time.

Mr. Chairman, the gentlewoman from Connecticut (Ms. DELAURO) and others on her side of the aisle would have us believe that this amendment and the other amendments that they have offered would have something to do with tax cuts versus spending, that in these amendments there contains a transfer of money from the tax side to the spending side.

Let me say that those are not contained in these amendments. In fact, they controlled this House for 40 years. There was never a time ever when we could transfer money under a procedure in the House from tax cuts to spending under their control.

Now, that may be quite understandable, Mr. Chairman, because I do not think anytime during that 40 years they ever proposed to cut taxes, ever, once.

But there is no element in any of these amendments, including this one, of moving money from tax cuts to spending. It simply is a figment of their imaginations and does not exist under the rules and never did.

Now, Mr. Chairman, I am worried about misinformation. I am worried about people not committed to the truth. And I think at least three of their theme amendments, this being one of them, tried to get people to believe that the majority party is not supportive of special education or funding for biomedical research or providing young people the opportunity to get a higher education through Pell Grants.

Nothing could be further from the truth. We have been the champions in each of those areas. They have been the followers. And yet, each of these amendments wants to add more money irresponsibly outside the budget process to say that they are somehow the ones that have taken the leadership on this. They have not. We have.

We have plussed up Pell Grants higher than the President every time. We have plussed up special education much higher than the President every year. We have plussed up funding for biomedical research to the National Institutes of Health higher than the President every year. We are in the process, through our initiative, of doubling funding for NIH.

Do not believe these theme amendments. They simply are passing along misinformation. It is time that we looked at our whole society, our whole

political process, what is on the Internet, what is happening to the truth in this process.

The truth is being lost. It is propaganda. It is false propaganda. These amendments, all of them, are false propaganda.

POINT OF ORDER

The CHAIRMAN pro tempore (Mr. PEASE). Does the gentleman from Illinois (Mr. PORTER) insist on his point of order?

Mr. PORTER. Mr. Chairman, I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed a suballocation of Budget Totals for fiscal year 2001 on June 8, 2000, House Report 106-660.

This amendment would provide new budget authority in excess of the subcommittee suballocation made under section 302(b) and is not permitted under section 302(f) of the act.

I ask for a ruling from the Chair.

The CHAIRMAN pro tempore. Does any Member wish to be heard on the point of order?

Ms. DELAURO. Mr. Chairman, I concede the point of order because the House of Representatives rules dictate that, unfortunately, the budget priorities of the majority will shortchange our youngsters and, in fact, tax cuts ought to go to working middle-class families.

The CHAIRMAN pro tempore. The point of order is conceded and sustained.

Are there further amendments to this section?

AMENDMENT NO. 7 OFFERED BY MR. BASS

Mr. BASS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. BASS:

Page 53, line 17, after each dollar amount, insert the following: "(increased by \$200,000,000)".

Page 57, line 14, after the first dollar amount, insert the following: "(reduced by \$200,000,000)".

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from New Hampshire (Mr. BASS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Hampshire (Mr. BASS).

Mr. BASS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the amendment I have before my colleagues now is an amendment that they are going to be able to vote on, an amendment that will increase funding for special education by \$200 million.

Now, we have heard plenty of arguments today and also last week about how important it is to fully fund special education. Well, here is our chance to up funding in this appropriation from \$500 million to \$700 million.

Where does the offset come from? It comes from a program called GEAR UP. Now, GEAR UP is a new program that was started in 1998, and its purpose is to encourage children at a young age to pursue a college education.

However, similar programs already exist. The Talent Search program in TRIO provides grants to schools and academic institutions and so forth to provide counseling for young people wanting to go on to college. The Upward Bound Program in TRIO provides similar services.

Let me read to my colleagues what the Oakland, California Chronicle had to say as recently as June 3 about GEAR UP: "Consultants hired to provide college preparatory programs for thousands of Oakland middle school students paid themselves but spent only a fraction of the money meant for the children," the Chronicle has learned.

"Two of the consultants were fired, and the third resigned when Federal education officials overseeing the 5-year \$14 million grant became suspicious. According to documents and sources familiar with the case, the beleaguered Oakland School District had \$2.8 million to spend in the school year, the first year of the program, to help 3,500 seventh graders through their graduation in 2005. But by April, those in charge of the grant had budgeted just \$439,000 mainly on their own salaries, benefits, and travel.

"The students who were supposed to benefit from the grant saw just \$157,000 of that money in the form of a chess club, computer lab, and some math workshops, according to the records."

Now, this is a new program. I point out that the TRIO programs in this budget are receiving a \$35 million increase above the President's request, which is \$115 million above last year.

My friends, let us add \$200 million to special education. Let us do it by reducing funding for a program that has questionable results and is already funded, in essence; its functions are in the TRIO program. Let us, please, support my amendment.

Mr. OBEY. Mr. Chairman, I rise in opposition to the amendment, and I yield myself 1 minute.

Mr. Chairman, let me simply say that, again, we are all in support of special education on this side of the aisle but not at the expense of taking away educational opportunity for kids who need it just as much.

The difference between TRIO and Talent Search is that the program the gentleman seeks to cut tries to identify children at a much younger age, sixth, seventh grade, and tries to put them on the right course so that they understand, number one, that there is such a thing as a college education.

□ 1445

And, number two, how to prepare for it at an early enough time to make a difference, and help build a support

structure between the child and the family so that they understand that financial aid will be available to them. There are a lot of families in this country who never dreamed that they could afford to send their kids to college. This is one of the few programs around that helps. It intervenes at an earlier age than the other programs mentioned by the gentleman. That is why the budget increases for programs such as TRIO are irrelevant. What we are trying to do is to intervene at an early enough time so that we reverse the trend of minority students getting less higher education than they were 5 years ago.

Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Tennessee (Mr. FORD).

Mr. FORD. Mr. Chairman, we have heard a lot of speakers talk about tax cuts and perhaps using a little bit of their tax cut to pay for some of these initiatives. The gentleman from New Hampshire (Mr. BASS) is a good man, but for the life of me I cannot understand how he could be opposed to a program which takes entire groups of kids, classes of kids whom early in life many of us would suggest because of the dire economic conditions and social conditions they may face may have a more difficult time getting to college than perhaps some of their cohorts.

Study after study shows that high-achieving students from low-income families are five times as likely not to attend college as high-achieving students from middle- to higher-income families. I do not mean to discriminate against middle- and higher-income families by any means, but we know that kids who come from other circumstances often face different challenges.

It amazes me to hear the gentleman from New Hampshire and some of them suggest that we have another program that addresses this problem, because I do not think we can have enough programs to address this problem, Mr. Chairman. I say that understanding that the Federal Government cannot go out funding each and every program, but we offered tax cut after tax cut. I voted for the estate tax reduction. But it would be nonsensical of me to say, Well, we've given people an estate tax reduction so we don't need to give them a capital gains tax reduction. There are different issues and different challenges here.

In my State alone, the University of Tennessee at Chattanooga received over \$200,000 to help identify entire groups of classes to bring them through high school and to help them go to college. The numbers show, as the gentleman from Pennsylvania (Mr. GOODLING) knows, that a young person's ability to earn over a lifetime increases by \$600,000 with an opportunity to go to college, \$300,000 at Dyersburg State Community and \$650,000 at Memphis City schools.

I ask my colleague from New Hampshire, and perhaps we can engage in a

colloquy, explain to me why not, if we can do it for wealthy Americans, we ought to be able to do it for poor children in this Nation.

The CHAIRMAN pro tempore (Mr. PEASE). The time of the gentleman from Tennessee (Mr. FORD) has expired.

Mr. FORD. Mr. Chairman, I ask unanimous consent for 30 additional seconds.

The CHAIRMAN pro tempore. The time is controlled by the gentleman from New Hampshire (Mr. BASS) who has 2½ minutes remaining.

Mr. BASS. Mr. Chairman, I ask unanimous consent that the gentleman be given 30 additional seconds.

The CHAIRMAN pro tempore. The Chair can provide additional time to both sides. Is that the gentleman's request?

Mr. BASS. That is fine with me, Mr. Chairman.

The CHAIRMAN. Without objection, both sides are granted 30 additional seconds.

There was no objection.

Mr. BASS. Mr. Chairman, I yield 30 seconds to the gentleman from Tennessee (Mr. FORD).

Mr. FORD. Pardon my passion on this issue, Mr. Chairman, and I ask the House's forgiveness for violating our rules, but it is just hard for many of us to comprehend, and the gentleman from Illinois (Mr. PORTER) is a good man as many on the other side of the aisle are, why we would argue taking precious dollars at a time in which we are moments away from increasing the quota on H1-B visas because we are unable not to find workers but to provide workers with the skills they need to fill the jobs that we are creating here at a record number in this Nation.

This program, like many others, seeks to do that. I would hope that the gentleman would rethink his amendment and even those on his side who may support it. I would hope they would reconsider their support of it.

Mr. BASS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I respect and admire my friend from Tennessee's passion about this issue. I also appreciate the fact that he has not dwelt with the phony theme issue of tax relief.

There is a difference here in priorities. I believe that funding of special education provides broader funding for more people. I certainly agree that it might be a good idea in some school districts for sixth, seventh, and eighth graders to receive counseling preparatory to college. But I also feel that providing services for developmentally disabled students is a higher priority for me.

That is essentially a difference that we have between the two of us. The fact of the matter is by providing more funding for special education, we free up local funds so that local school boards in his district or mine can provide counseling if they want to for sixth, seventh, and eighth graders to prepare themselves for college.

Mr. Chairman, I support my amendment. I think, as the gentleman from Tennessee has pointed out, it is a question of priorities. I think this GEAR UP program is a troubled program. It is a new program. The TRIO program already funds it. I urge support of my amendment.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Chairman, I rise in opposition to the Bass amendment. Many people learn about how to get on the college track at home at the kitchen table from their mother and their father. But there are a lot of children, a lot of young people in this country who do not have someone sitting at the kitchen table who has been to college. GEAR UP is about giving that young man or that woman someone to talk to about that issue. It works. It should be given a chance to work. The TRIO argument, frankly, is irrelevant. This is a different program with a different set of parameters.

I agree with my friend from New Hampshire that wants to fund more special education. I would support a \$200 million increase in special education. We could pay for it by eliminating less than 2 percent of the tax cut that his budget resolution put forward in this House. That is the way to pay for it, not choosing between education programs. That is the right way to do this and it would be paid for in that way. We should all join together and oppose this amendment.

Mr. BASS. Mr. Chairman, I yield 30 seconds to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. Mr. Chairman, I rise in support of the gentleman's amendment because this amendment, unlike the previous amendment that was offered, has a real offset. We debated earlier about the importance of special education and how it is critical and both sides support special education. Now we have an opportunity to actually increase it by cutting a program that is of questionable merit and has not got a proven track record. Let us put the money where it is most important and flows directly to the school districts to help the most needy kids.

I commend the gentleman for having a real amendment, not a rhetorical one that is going to be kicked out because of a point of order.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. HINOJOSA).

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

Mr. HINOJOSA. Mr. Chairman, I rise in strongest opposition to this amendment. I am astounded that we are even debating the elimination of funding for a program as critical as GEAR UP. Although it is a new program started

only last year, it has had phenomenal success in my congressional district. It offers a solution to raise the graduation rate of many of the Hispanics. As Members know, it is only 70 percent that graduate, compared to 92 percent for the Anglo-Saxon students. I am here to improve that and GEAR UP is one of the solutions. GEAR UP is designed to enable more young Americans to stay in school, study hard and take the right courses to go to college. Is that not what we are ultimately trying to do by funding school programs?

Look at this chart. Every single red dot on this map is a GEAR UP program like mine in my congressional district where there is excitement, there is hope because of GEAR UP. I ask my colleagues to all stand up and vote against this amendment.

Mr. BASS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I simply say that I believe the \$200 million more for special education will have an impact in every school district in this country, every family in this country, every school board, every teacher, and most importantly every student who is coded and part of the IDEA program. Now, this is an opportunity for Republicans and Democrats, as the old saying says, to put their money where their mouth is and vote for a significant increase in special education funding.

I would only point out that the operations undertaken by the GEAR UP program are already done by the TRIO program, not at as young an age but already done by the TRIO program, already covered by the TRIO program, and the TRIO program is receiving a \$115 million increase over last year's appropriation. So it is not as if we are ignoring this important priority of preparing students in disadvantaged areas for college so that they get an equal chance to go on to higher education.

This is a good amendment. It will increase funding for special education. I urge the Congress to adopt this amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The gentleman from Wisconsin (Mr. OBEY) has the right to close and 30 seconds remaining.

Mr. OBEY. Mr. Chairman, I yield the balance of my time to the gentleman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, with great respect to my colleagues, we had an opportunity to put \$1.7 billion in IDEA and that is what we should have done. We should not be choosing between a program such as IDEA and a program that reaches out to those kids who do not understand what it is to prepare for college.

Our kids, probably your kids, had the opportunity from the time they went to the first grade to plan, to be taught, to be tutored. What this program does and the reason GEAR UP is so successful, it helps kids understand that they can have their dream, they can be what

they want to be. It provides tutors and assistance to help them seek the American dream. I am opposed to this amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New Hampshire (Mr. BASS).

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

Mr. BASS. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from New Hampshire (Mr. BASS) will be postponed.

The point of no quorum is considered withdrawn.

The Clerk will read.

The Clerk read as follows:

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Assistive Technology Act of 1998, and the Helen Keller National Center Act, \$2,776,803,000: *Provided*, That notwithstanding section 105(b)(1) of the Assistive Technology Act of 1998 ("the AT Act"), each State shall be provided \$50,000 for activities under section 102 of the AT Act.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), \$11,000,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), \$54,000,000, of which \$6,000,000 shall be for construction and shall remain available until expended: *Provided*, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), \$89,400,000: *Provided*, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Technical Education Act and the Adult Education and Family Literacy Act, \$1,718,600,000, of which \$1,000,000 shall remain available until expended, and of which \$923,000,000 shall become available on July 1, 2001 and shall remain available through September 30, 2002 and of which \$791,000,000 shall become available on October 1, 2001 and shall remain available through September 30, 2002: *Provided*, That of the amounts made available for the Carl D. Perkins Vocational and Technical Education Act, \$4,600,000 shall be for tribally controlled vocational institutions under section 117: *Provided further*, That of the amount provided for Adult Education State Grants, \$25,500,000 shall be made available for integrated English literacy and civics education services to immigrants and

other limited English proficient populations: *Provided further*, That of the amount reserved for integrated English literacy and civics education, half shall be allocated to the States with the largest absolute need for such services and half shall be allocated to the States with the largest recent growth in need for such services, based on the best available data, notwithstanding section 211 of the Adult Education and Family Literacy Act: *Provided further*, That of the amounts made available for the Adult Education and Family Literacy Act, \$14,000,000 shall be for national leadership activities under section 243 and \$6,500,000 shall be for the National Institute for Literacy under section 242.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1 and 3 of part A, part C and part E of title IV of the Higher Education Act of 1965, as amended, \$10,198,000,000 (reduced by \$48,000,000), which shall remain available through September 30, 2002.

The maximum Pell Grant for which a student shall be eligible during award year 2001-2002 shall be \$3,500: *Provided*, That notwithstanding section 401(g) of the Act, if the Secretary determines, prior to publication of the payment schedule for such award year, that the amount included within this appropriation for Pell Grant awards in such award year, and any funds available from the fiscal year 2000 appropriation for Pell Grant awards, are insufficient to satisfy fully all such awards for which students are eligible, as calculated under section 401(b) of the Act, the amount paid for each such award shall be reduced by either a fixed or variable percentage, or by a fixed dollar amount, as determined in accordance with a schedule of reductions established by the Secretary for this purpose.

AMENDMENT NO. 17 OFFERED BY MRS. LOWEY

Mrs. LOWEY. Mr. Chairman, as the designee of the gentleman from Wisconsin (Mr. OBEY), I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 17 offered by Mrs. LOWEY: Page 56, line 13, after the dollar amount, insert the following: "(increased by \$938,000,000)".

Page 56, line 16, after the dollar amount, insert the following: "(increased by \$300)".

The CHAIRMAN pro tempore. On this amendment, all points of order are reserved.

Pursuant to the order of the House of Thursday, June 8, 2000, the gentleman from New York (Mrs. LOWEY) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I yield myself such time as I may consume. My amendment would add \$300 to the maximum Pell grant for a total maximum award of \$3,800. As we are all aware, the cost of a college education has been increasing faster than the rate of inflation, putting college out of reach for many Americans.

The Federal Government has had a role in helping students gain access to college since the GI bill in 1944. Financial aid has evolved over time into a safety net of programs that have made college possible for generations of

Americans, including many of the staffers who work in this House, and perhaps some of the Members, too. The Pell grant program is the cornerstone of that safety net, providing grant aid to nearly 4 million needy students. It is one of the few sources of grant aid still available to help cut down on the crushing college debt burden assumed by so many students and their families today.

When President Clinton took office in 1993, the Pell grant maximum award was \$2,300, the same as it was in 1989. The maximum Pell grant in this current fiscal year is \$3,300, an increase of 43 percent since 1993. The bill before us today proposes an increase in the maximum to \$3,500 as the President requested. This is good news but it is still not enough. A \$200 increase in Pell equals less than the cost of one semester's required books for a full-time student. The Pell funding in this bill is simply inadequate to meet the costs of higher education today.

The authorized ceiling for these grants is now \$4,800, a full \$1,500 above this year's appropriated level. The real dollar value of a maximum Pell award has declined 18 percent since 1975.

□ 1500

To get to the level we were in 1975, the Pell Grant award would have to be merely \$4,300. My amendment will get us closer to that, setting the maximum award at \$3,800; but leaving us room for improvement.

Over the next 10 years, my colleagues, more than 16 million students will be enrolled in our Nation's colleges and universities, preparing for the challenges of a high-tech economy and a highly educated and productive workforce.

We must do better to demonstrate our commitment to Federal student aid, and we can do that by increasing the maximum grant to \$3,800.

We can also do better by improving the allocation for this subcommittee. Once again, our subcommittee was not provided adequate resources to meet the significant human needs addressed by programs under our jurisdiction.

In this time of surplus, in this time of prosperity, the failure to provide sufficient resources puts this committee at risk of failing a course in logic, because we know that education is a lifelong investment in our people and our future; yet this bill does not live up to our responsibility to make that investment.

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

The CHAIRMAN pro tempore (Mr. PEASE). Does the gentleman from Illinois (Mr. PORTER) claim the time in opposition?

Mr. PORTER. I do, Mr. Chairman.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Illinois (Mr. PORTER) for 15 minutes.

Mr. PORTER. Mr. Chairman, I yield 3 minutes to the gentleman from Florida, (Mr. MILLER), a valued member of our subcommittee.

Mr. MILLER of Florida. Mr. Chairman, I thank my chairman, the gentleman from Illinois (Mr. PORTER), for yielding me the time.

Mr. Chairman, once again, we have one of these so-called theme amendments. It is an amendment that is not going anywhere, but it is to try to score some political points to try to show that Republicans are not really the big supporters of these programs, but they are. Well, once again, it is not going to work. It is just like with special ed.

Special ed, the Republicans have been the big supporters of the special ed over the years; and since Republicans took control, we have seen the increase for special ed go up much, much faster than when the Democrats controlled it.

And once again, under Pell Grants, Members will find Republicans have strongly supported Pell Grants for the past 5 years. Just as this chart shows, back in 1991 and 1992, the maximum Pell Grant was \$2,400; then it dropped down to \$2,300 for the first 2 years of the Clinton administration.

Look what happened since the Republicans took over, we are going up to \$3,500 now, Johnny come lately. The Democrats say, hey, we want to even increase it more. They always use this argument, oh, my gosh, tax cuts.

Last week we did pass tax cuts and one-third of the Democrats, and I congratulate them, one-third of the Democrats supported it. So I guess they are one-third of the Democrats that was bad. Someone mentioned capital gains. Oh, my gosh, capital gains helps the rich. Capital gains is one reason we have a surplus.

When we cut capital gains, we increased the revenue to the Federal Government. We talk about tax cuts on the Spanish American War, tax on telephones. Luckily the Democrats support that one. Marriage penalty, they talk like they support getting rid of the marriage penalty, and we should take care of that.

So the thing is let us talk about specifics. The Committee on Ways and Means handles tax cuts. We are in an appropriations, this is spending. Appropriations follow-up with a budget resolution. The budget resolution, of which a majority of Members of this House and a majority of the Members of the Senate passed earlier this year, tells us we have to live within our means, and that is exactly what we are doing right now.

Now, we talk about this issue of Pell Grants. I am a former college professor. I taught college at Louisiana State University, Georgia State, University of South Florida. I worked with lots of students. I know the importance of financial assistance to students.

It is very important that we provide the most opportunity for every kid to get the highest education they can, so that is the reason Members find Republicans have continued to provide an increase every year more than the President has requested.

Now, all of a sudden, they say oh, my gosh, the Republicans do not like this program. Let us live within our means. Let us do the right thing. This is important for our youth in this country.

One of the most important things we can do for the youth of our country is to get rid of this national debt that we have that has been accumulated over the past several decades and provide the most educational opportunities every student can get.

We have increased Pell Grants by over 50 percent in the past 5 years. I am proud of that accomplishment. I am proud of the leadership that the gentleman from Illinois (Chairman PORTER) has provided and the gentleman from Pennsylvania (Chairman GOODLING) has on these issues. And I do not take any second seat to anybody in support for higher education.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS), a member and leader of the Committee on Education and the Workforce.

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

Mr. ANDREWS. Mr. Chairman, I rise in very strong support of the Lowey amendment. For a lot of people, the difference between succeeding in higher education and not succeeding in higher education is the Pell Grant. The amount that is proposed in this increase is modest, a few hundred dollars. But it can be the difference between being able to pay for your books or not pay for your books or have your computer access or perhaps take another course that gets us that much closer to your ultimate educational goal.

Mr. Chairman, I really believe that the choice that we should have made about this would not have been made today on the floor. It should have been made several months ago when an unrealistic budget resolution was passed by a majority of this House.

The costs of this proposal by the gentlewoman from New York (Mrs. LOWEY) is under \$1 billion this year. It is important to understand how that fits into the scheme of things.

The costs of the majority's tax scheme is about \$13 billion this year. So for 7 percent of the costs of the majority's tax scheme, we would be in a position to make this substantial investment in better education for more Americans. So the majority could still give 93 cents on the dollar of tax relief that they want to give and approve the Lowey amendment. That is a good deal for this economy. That is a good deal for this country.

I understand that she does not follow the technical rules, but I think the majority's ignoring the more important rules, which say that we ought to be investing in the future of the economic growth of this country.

In the future, the difference between success and failure will be the difference between an educated and prepared workforce and an under-educated and unprepared workforce.

The Lowey amendment is a step in the right direction for the future, and I urge its adoption.

Mr. PORTER. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM), a very valued member of our subcommittee.

Mr. CUNNINGHAM. Mr. Chairman, I was a teacher and a coach both in high school and in college. I can talk articulation agreements. I also know the value of assisted education. The gentlewoman and I have worked together before on education matters, Pell Grants and the support; but unfortunately, this is just another exercise. No matter what we do, the Democrats try to oneupman by saying we want just a little bit more and that we, the Republicans, do not care.

I think that is wrong. I think this exercise in politics is wrong. I think it disdains the House and what we really stand for. I would tell the gentlewoman Pell Grants are very, very important; but when Members talk about tax breaks for the rich, which is your mantra on this whole bill and probably will be throughout, then I think Members do a disservice. Because in the case of the death tax, it was not for the rich.

If we take a look at marriage penalty for people, that was not for the rich. Taking away the Social Security increase tax that Democrats put on in 1993 when in control of the White House, the House and the Senate; that is for senior citizens. I think that that itself is a disservice.

If Members take a look at some other areas where we may have cut, take a look at the 149 deployments that the White House has had us all over the world. We had decent debates on the floor. Look at Somalia, Haiti. Haiti we put \$2.4 billion, and it is still one of the worst places in the world. Most of the monies in Aristide's pocket, they just caught Russia laundering \$7 billion in a New York bank. So when Members go log for funds, most of the people supported on that side all of these deployments. Like we said we should not stay in Somalia. We should not go into Haiti and Kosovo and Bosnia. We should not hit an aspirin factory in the Sudan, \$200 billion.

And when I tell the gentlewoman there would be a lot of money, that money comes out of the general fund. It comes out of the Defense. So there is money, and we can have increased Pell Grants.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Hawaii (Mrs. MINK), a leader in education.

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Chairman, I thank the gentlewoman from New York (Mrs. LOWEY) for yielding me time.

Mr. Chairman, I think the important message that I want to leave is to echo the words of the chairman of the Committee on Education and Workforce

who spoke about the authorization language that we had for the Teacher Empowerment Act. It is very important when we talk about Pell Grants to understand that the authorization level is \$4,800 as a maximum.

We are far below achieving what the Committee on Education and the Workforce has established as an appropriate grant for those who qualify. We are not handing money out to students who come into the office and say they would like to have assistance in going to college. There is a very complicated formula, a process in which an analysis is made about the need of each specific student.

The monies that we are talking about to add on to the \$300 is based upon a very, very strict analysis of the need of that particular student. And the Congress has already said in its authorization that that maximum ought to be \$4,800. And we are only talking about \$3,800 today. We have to meet this challenge.

Look at what we are doing. We are bringing in 200,000 foreigners to come in and beef up our high-tech industry. High-tech industry is supposed to be the future of this country, the future of the world; and we are not meeting the challenges of higher education.

We talk about our young people needing to be encouraged to go to high school, not to be a dropout, to go on further to achieve their college aspirations. Many of them are too poor to be able to go; many of them come from families where not a single child has gone to college. So to steal from them this small amount of money, \$300, which could lift them up, give them the opportunity to go to college, to me, is an obligation of this country, as wealthy as it is, as prosperous as it is. I strongly support the Lowey amendment.

The CHAIRMAN pro tempore. Does the gentleman from California (Mr. CUNNINGHAM) claim the time of the gentleman from Illinois (Mr. PORTER)?

Mr. CUNNINGHAM. Yes, Mr. Chairman.

Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT), a great supporter of education.

Mr. TIAHRT. Mr. Chairman, it has been good for education to have Republicans in control. Under the direction of the gentleman from Illinois (Chairman PORTER), we have improved the important programs; and education has done very well, and Pell Grants is one of those programs.

Under the Democrats' control, prior to the gentleman from Illinois (Mr. PORTER) taking over, Pell Grants were stagnant in their funding levels. It actually shrank a little when the Clinton administration took over. But under the leadership of the gentleman from Illinois (Chairman PORTER), in the last 5 years, we have increased the funding for Pell Grants by 50 percent. It is a very good program, so I want to commend the gentlewoman from New York

(Mrs. LOWEY) for bringing to our attention the importance of Pell Grants so that we can talk about how, under Republican control, Pell Grants have done very well.

There has been some confusion on the floor about the relationship between this education funding bill, appropriations bill, and tax relief. There is no tax provisions in this bill, but there is an increase to education. In the last 5 years under Republican control, education has grown faster than the rate of inflation.

The important programs have been highlighted and have also grown. So let us not be confused by this talk about tax relief and education, because Republicans have emphasized the need for good programs, like Pell Grants, like special education, and have increased the funding dramatically.

So when we consider this bill and this amendment, I think that we should remember that it has been very good for education in America, especially for in the classrooms, those people trying to get into college; it has been good to have Republicans under control. And I am very pleased with the gentleman from Pennsylvania (Chairman GOODLING) and his Committee on Education and the Workforce and the gentleman from Illinois (Chairman PORTER) and the Appropriations Subcommittee on Labor, Health and Human Services and Education, because they have emphasized programs that have been efficient and that worked well and more fully funded those.

So let us not be confused by the arguments about tax provisions, and let us focus on the needs of our children and the improvements that the Republicans have made.

□ 1515

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Chairman, I rise in support of the Lowey amendment. Slowly, but surely, we are shifting the higher educational financial aid system away from low-income working families who need it the most. We all know that college costs are skyrocketing and that these costs are particularly burdensome for working class and minority families trying to send their first child to college.

Pell Grants are the one program specifically designed to help these low-income students get their foot in the door of a college or university. Since 1980, adjusted for inflation, tuition has more than doubled, while the value of the maximum Pell award has dropped by 25 percent.

So I do not buy the Republican argument that we have done enough financial aid for needy kids. None of us should buy the argument put forth by some, including Governor Bush, that says, well, if they cannot afford school, let them just take out loans. For a low-income family, particularly one that

has never sent a child to college, the prospect of taking out \$15,000, \$30,000, or \$50,000 of loans is often unthinkable. That option is simply not in the cards. In many cases, if the family cannot afford the tuition bill, these kids simply do not enroll at all.

So I support the modest Lowey amendment to raise the Pell Grant by \$300 to \$3,800 a year. A yes vote on this amendment sends a message that Congress is willing to give the neediest, hard working kids an extra boost into college. It is not a handout, but a helping hand, to those students who need it the most.

Mr. PORTER. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the authorizing committee.

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

Mr. GOODLING. Mr. Chairman, appropriations for Pell Grants have increased by 24 percent under the leadership of the gentleman from Illinois (Mr. PORTER). The maximum Pell Grant has gone from \$2,340 to \$3,500, again an increase of almost 50 percent under the leadership of the gentleman from Illinois (Mr. PORTER). 237,000 more students receive Pell Grants. For fiscal years 1987 to 1995, when the appropriations were written by the other side, the maximum Pell Grant increased by an average annual rate of 1.4 percent. Under the leadership of the gentleman from Illinois (Mr. PORTER), that annual average rate is 7.1 percent.

In addition to funding, the funding for work study has increased by 52 percent under the leadership of the gentleman from Illinois (Mr. PORTER) and would increase much more if we had not gotten into this community service business and set up all those bureaucracies. All of that money could have gone into work study, and the college students would have done the public service work.

Funding for Supplemental Education Opportunity Grants has increased by \$70 million. Funding for TRIO programs has increased \$115 million, for a total of \$760 million. The Perkins capital contributions are level funded at \$100 million, but the cancellation fund has been increased to \$40 million. Aid for institutional development has increased by \$95 million, for a total of \$388 million, and that will assist hundreds of institutions with their efforts to improve academic instruction, in technology upgrades and institutional management.

Yes, Mr. Chairman, the students at the colleges and the universities today and the proprietary schools say, Thank you, Mr. PORTER, for making higher education a priority during your reign, and the students who wish to be college and university students and proprietary school students also say, Thank you, Mr. PORTER. I will be able to realize my dream, thanks to your making higher education one of the priorities in your leadership.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from New York to increase the maximum Pell Grant level to \$3,800. This is a reasonable and modest amendment; and I would like to see the increase, quite frankly, be even greater. I have even introduced a bill that would fully fund Pell and restore its original purchasing power. To do that, the maximum Pell level should be at \$6,900.

Everyone in this Congress talks about increasing funding for Pell Grants, but somehow there is never enough money to fully fund this program. Somehow our students always get shortchanged.

This is a debate over national priorities. The majority in this Congress believes we can spend hundreds of billions of dollars on tax breaks for the wealthiest 2 percent of Americans. Certainly then, Mr. Chairman, we can afford \$938 million for the working families of this country, so that we can move closer toward that day when every single child in America will be able to get the higher education that they need.

With an increasingly global economy, our students must be prepared to face the challenges of the future. A college education is key to that success. We will not continue to be the world's economic superpower if we do not have a well-educated workforce.

All young people, regardless of income, deserve the opportunity to go to college. Mr. Chairman, to do that, we must increase the funding for Pell Grants.

Mr. Chairman, I want to thank the gentlewoman from New York (Mrs. LOWEY) for her leadership and courage in bringing this issue up for debate, and I urge my colleagues on both sides of the aisle to put students first and to support the Lowey amendment.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of our committee.

Mr. OBEY. Mr. Chairman, I think we ought to call a spade a spade here today and recognize what is happening. The majority party in 1995 tried to shut down the government in order to force President Clinton to cut \$270 billion out of Medicare and to make deep cuts in education and health care and a number of other domestic programs just to finance huge tax cuts which were primarily aimed at the highest income Americans. You got burned. Since then, you have been a little shy about attacking education.

We have seen charts today that brag about what the Republican Party has done to raise Pell Grants. This chart shows in the blue graphs what the President has asked for in Pell Grants since 1985. The red chart shows what the Republicans have provided, or what

the Congress has provided. As you can see, it has been the presidential demand that has driven the number up each year, except for 2 years when the President asked for more money and the majority party one-upped him by a tiny amount of money. So it has been the President driving this upward increase in Pell Grants.

The question is not so much what you did yesterday; it is what you are going to do today and tomorrow. In 1976, Pell Grants paid for over 70 percent of the cost of sending a working family's kid to college. Today it pays for less than 40 percent.

We think now that we have surpluses instead of deficits we ought to do something about that. We are afraid that you are not going to make higher education a priority because your standard bearer, George Bush, said on March 22: "Higher education is not my priority." He also said when he came to my State, when he was asked by a student, what are you going to do about the huge debt overhang that kids have when they leave college, he said, and this is an exact quote: "Too bad. That is what loans are; they are to be paid back. There is a lot of money out there, if you just go looking for it. Some of you are just going to have to pay it back, and that is just the way it is."

That is a "let them eat cake" attitude, and we do not subscribe to it. I urge that the House recognize the wisdom of the amendment.

Mrs. LOWEY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I would like to urge my colleagues on both sides of the aisle to do the right thing, to support this amendment. I have heard my good friends say live within our means, do the right thing. I heard other good friends on the other side of the aisle saying this is just an exercise. This is just politics.

I just wish my good friends were with me at Westchester Community College just a few weeks ago talking to the students who are benefiting from student aid. One of them was in tears. She desperately wanted to be a teacher. Now, maybe it is hard for people on the other side of the aisle to understand that this young woman could not put together the \$2,500 she needed to pay her tuition. She just could not do it, and we were there just trying to figure out how we could respond to these problems.

It seems to me that we have to get beyond the politics, get beyond the partisan politics and focus on what are the real needs. You cannot say that a tax cut is irrelevant. You are saying there is a limited pot of money. Well, in my judgment, at this time of such prosperity in this country, at a time when people are in need and they are struggling to pay their tuition, not only should we be funding GEAR UP to motivate young people, to help them understand that getting an education, working hard, will provide them with

the opportunities of a good life in the United States, not only must we support IDEA, which helped those disadvantaged kids, to give them the opportunity to reap the rewards of this society; but it seems to me that we have a responsibility to do what we can to get as close as we can to the authorized level.

That is why I offer this amendment. These youngsters work two and three jobs. They are not just depending on public assistance. Let us support this amendment. Let us support our youngsters. Let us invest in education. Let us get real.

Mr. PORTER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, one of the matters that the other side has conveniently failed to address, and both the gentleman from Massachusetts and my colleague from Wisconsin failed to address it as well, is the fact that what we are attempting to do by increasing funding for Pell Grants is to get more access for more young people of modest means to get a higher education. One of the difficulties is that every time we raise the Pell Grants, the colleges and universities across this country raise their tuition and expenses, and we buy no new access. So simply raising the money, unfortunately, does not get us greater access. In fact, as one of the speakers said earlier, education inflation has outstripped the increases that all of us have strongly supported in Pell Grants. We really ought to all be concerned about this trend.

Now, I would say to the gentlewoman offering the amendment, our bill increases student financial aid by \$763 million, an increase of 8.1 percent. That is about what we have been trying to do every year. That is a 6 percent real increase; a large increase. We are, obviously, concerned, as you do not have to be, with the bottom line.

Now, budgets are meant to give limits. Limits are something that my colleagues in the minority paid no attention to for years and they are not paying any attention to those limits today. For the 30 years that they controlled the House, they spent as if there were no limits. They spent the Social Security reserve, all of it. They spent us into huge deficits, some years nearly \$300 billion, until finally the American people said, "We don't think you ought to be in control any longer. You are not responsible."

So here we are again. You are offering no limits, no restraint with the budget. You will not even recognize it, even though it is adopted by both sides of the House. Unfortunately, somebody has to be responsible. We are trying to be responsible.

We have met the President's goal in raising funding for Pell Grants. In some years we have exceeded the President's suggested funding level for the maximum grant. We put this at an extremely high priority. We believe that young people across this country who want to go on to a higher education

ought to have that opportunity. Kids of modest means need that kind of support.

All of us ought to be concerned about the fact that this money is just absorbed in our education system. There seems to be no restraint on education inflation, and the access we are trying to get for more kids often is lost in higher costs and higher tuition.

□ 1530

Mr. Chairman, I would say to my colleague that we have made this a high priority. I would say that we have made it a higher priority than the President year after year. This amendment does not have the responsibility of an offset and simply raises the spending in the bill. It is not in order, as all the rest of these amendments are not in order. It shows no responsibility for limits on spending that all of us must observe.

Mr. Chairman, I yield back the balance of my time.

POINT OF ORDER

The CHAIRMAN pro tempore (Mr. PEASE). Does the gentleman from Illinois (Mr. PORTER) insist on a point of order?

Mr. PORTER. Mr. Chairman, I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed a suballocation of budget totals for fiscal year 2001 on June 8, 2000, House Report 106-660.

This amendment would provide new budget authority in excess of the subcommittee suballocation made under section 302(b), and is not permitted under section 302(f) of the Act.

I ask for a ruling of the Chair.

The CHAIRMAN pro tempore. Does any Member wish to be heard on the motion?

The Chair is authoritatively guided by an estimate of the Committee on the Budget, pursuant to section 312 of the Budget Act, that an amendment providing any net increase in new discretionary budget authority would cause a breach of the pertinent allocation of such authority.

The amendment offered by the gentlewoman from New York (Mrs. LOWEY) proposing to strike a provision scored as negative budget authority on its face proposes to increase the level of new discretionary budget authority in the bill. As such, the amendment would violate section 302(f) of the Budget Act.

The point of order is sustained. The amendment is not in order.

Mr. PORTER. Mr. Chairman, I ask unanimous consent that the remainder of title III of the bill through page 63, line 19, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The text of the remainder of title III of the bill from page 57, line 4, through page 63, line 19, is as follows:

FEDERAL FAMILY EDUCATION LOAN PROGRAM ACCOUNT

For Federal administrative expenses to carry out guaranteed student loans authorized by title IV, part B, of the Higher Education Act of 1965, as amended, \$48,000,000.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, section 121 and titles II, III, IV, V, VI, VII, and VIII of the Higher Education Act of 1965, as amended, and the Mutual Educational and Cultural Exchange Act of 1961; \$1,688,081,000, of which \$10,000,000 for interest subsidies authorized by section 121 of the Higher Education Act of 1965, shall remain available until expended: *Provided*, That \$10,000,000, to remain available through September 30, 2002, shall be available to fund fellowships for academic year 2002-2003 under part A, subpart 1 of title VII of said Act, under the terms and conditions of part A, subpart 1: *Provided further*, That \$3,000,000 is for data collection and evaluation activities for programs under the Higher Education Act of 1965, including such activities needed to comply with the Government Performance and Results Act of 1993.

HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 et seq.), \$226,474,000, of which not less than \$3,600,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act (Public Law 98-480) and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses authorized under section 121 of the Higher Education Act of 1965, \$737,000 to carry out activities related to existing facility loans entered into under the Higher Education Act of 1965.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

The total amount of bonds insured pursuant to section 344 of title III, part D of the Higher Education Act of 1965 shall not exceed \$357,000,000, and the cost, as defined in section 502 of the Congressional Budget Act of 1974, of such bonds shall not exceed zero.

For administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to title III, part D of the Higher Education Act of 1965, as amended, \$207,000.

EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

For carrying out activities authorized by the Educational Research, Development, Dissemination, and Improvement Act of 1994, including part E; the National Education Statistics Act of 1994, including sections 411 and 412; section 2102 of title II, and parts A, B, and K and sections 10105 and 10601 of title X, and part C of title XIII of the Elementary and Secondary Education Act of 1965, as amended, and title VI of Public Law 103-227, \$494,367,000: *Provided*, That \$50,000,000 shall be available to demonstrate effective approaches to comprehensive school reform, to be allocated and expended in accordance with the instructions relating to this activity in the statement of managers on the conference report accompanying Public Law 105-78 and in the statement of the managers on the conference report accompanying Public Law 105-277: *Provided further*, That the funds made available for comprehensive school reform shall become available on July 1, 2001, and remain available through September 30, 2002, and in carrying out this initiative, the Secretary and the States shall support only approaches that show the most promise of enabling children to meet challenging State

content standards and challenging State student performance standards based on reliable research and effective practices, and include an emphasis on basic academics and parental involvement: *Provided further*, That \$30,000,000 of the funds provided for the national education research institutes shall be allocated notwithstanding section 912(m)(1)(B-F) and subparagraphs (B) and (C) of section 931(c)(2) of Public Law 103-227: *Provided further*, That \$45,000,000 shall be available to support activities under section 10105 of part A of title X of the Elementary and Secondary Education Act of 1965, of which up to \$2,250,000 may be available for evaluation, technical assistance, and school networking activities: *Provided further*, That funds made available to local educational agencies under this section shall be used only for activities related to establishing smaller learning communities in high schools: *Provided further*, That funds made available for section 10105 of part A of title X of the Elementary and Secondary Education Act of 1965 shall become available on July 1, 2001, and remain available through September 30, 2002.

DEPARTMENTAL MANAGEMENT
PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of two passenger motor vehicles, \$382,934,000.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, \$71,200,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, as authorized by section 212 of the Department of Education Organization Act, \$34,000,000.

GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated under this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

SEC. 304. (a) INTERNET FILTERING.—No funds made available under title III of the Elementary and Secondary Education Act of 1965 to a local educational agency or elementary or secondary school may be used to purchase computers used to access the Internet, or to pay for direct costs associated with ac-

cessing the Internet, unless such agency or school has in place, on computers that are accessible to minors, and during use by such minors, technology which filters or blocks—

- (1) material that is obscene;
- (2) child pornography; and
- (3) material harmful to minors.

(b) DISABLING DURING ADULT USE.—An administrator, supervisor, or other authority may disable the technology described in subsection (a) during use by an adult, to enable unfiltered access for bona fide research or other lawful purposes.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a local educational agency or elementary or secondary school from filtering or blocking materials other than those referred to in paragraph (1), (2), or (3) of subsection (a).

(d) DEFINITIONS.—

(1) MATERIAL HARMFUL TO MINORS.—The term "material harmful to minors" has the meaning given such term in section 231(e)(6) of the Communications Act of 1934.

(2) CHILD PORNOGRAPHY.—The term "child pornography" has the meaning given such term in section 2256(8) of title 18, United States Code.

(3) MINOR.—The term "minor" has the meaning given such term in section 2256(1) of title 18, United States Code.

(e) SEVERABILITY.—If any provision of this section is held invalid, the remainder of such section and this Act shall not be affected thereby.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

SEC. 305. None of the funds made available in this Act may be used to carry out any activities related to any federally sponsored national test in reading, mathematics, or any other subject that is not specifically and explicitly provided for in authorizing legislation enacted into law, except that such limitation shall not apply to the Third International Mathematics and Science Study or other international comparative assessments developed under the authority of section 404(a)(6) of the National Education Statistics Act of 1994 (20 U.S.C. 9003(a)(6) et seq.) and administered to only a representative sample of pupils in the United States and in foreign nations.

AMENDMENT NO. 186 OFFERED BY MR. RYAN OF WISCONSIN

Mr. RYAN of Wisconsin. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 186 offered by Mr. RYAN of Wisconsin:

Page 64, after line 6, insert the following:

SEC. 306. The amounts otherwise provided by this title are revised by decreasing the amount made available under the heading "DEPARTMENT OF EDUCATION—EDUCATION REFORM" for the 21st Century Community Learning Centers, and by increasing the amount made available under the heading "DEPARTMENT OF EDUCATION—SPECIAL EDUCATION" for grants to States, by \$300,000,000.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Wisconsin (Mr. RYAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. RYAN)

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in short, my amendment that I bring forward is an amendment to make special education a priority by increasing the funding for IDEA by \$300 million and by reducing the 21st Century Learning Centers by the same amount, an appropriation which is \$600 million at this time.

My reason for offering this amendment really comes down to the promise made to special education students and their parents and teachers by the Federal government. When Congress passed the IDEA law in 1975, we did so with the stipulation that the Federal government would fund 40 percent of special education and the State governments would fund 60 percent of special education.

Sadly, that is not the case today. This new law from 1975 on amounts to an unfunded mandate being placed upon our local school districts. It is a law where every single dollar in local school districts being chased to fund this unfunded mandate comes at the expense of every other local resource decision allocation made in our local school districts.

This funding formula right now stands at 12.6 percent, meaning the Federal government is funding 12.6 percent of IDEA, where it promised in 1975 to fund 40 percent. It is a huge funding shortfall, which is a large unfunded mandate being placed on our local schools.

Last month the House passed legislation authorizing the IDEA Grants to States program, which is where the bulk of the IDEA funding comes from. It is \$7 billion. Many voted in favor of this legislation. However, the underlying appropriations bill being debated here provides \$5.49 billion for IDEA.

As I mentioned earlier, the increase for special education will be offset by a \$300 million decrease in 21st Century Learning Centers. This is a program that was created by a Wisconsinite, Steve Gunderson, in 1994. The purpose of this program at that time was to allow local communities in rural areas like western Wisconsin to have the chance of using the facilities, the libraries, the computer systems in high schools and other areas where those kinds of facilities do not exist.

Well, this program has gone well beyond its original intent to the point where, Mr. Gunderson has said, if we examine both the Department's publicity for this program and its allocations of funds, we discover little of the legislative intent.

This program has grown in function and in funding beyond the scope of why it was created in the first place. Beyond that, Mr. Chairman, this program has grown 800 times in 5 years, from \$750,000 to \$600 million in this budget year's budget, an 80,000 percent increase in just 5 years. Yet, this program is unauthorized. This program has had no IG reports, no GAO reports, no reports discovering whether or not this program is using its money wisely.

There is another very important point which the authorizers have pointed out. That is that it vastly mirrors and duplicates other existing programs in the Federal government; namely, the Safe and Drug-Free Schools Act.

That bill that has been passed through the authorizing committee, H.R. 4141, would add these two programs together, would put 21st Century Learning Centers in the Safe and Drug-Free Schools Act. Even with this amendment passing, it would provide a 50 percent increase in Safe and Drug-Free Schools Act with the authorizing language.

My point is this, Mr. Chairman. Almost every Member of Congress, on a vote of 413 to 2, voted for House Concurrent Resolution 84 earlier this year, stipulating that the highest priority of Federal spending in education would be IDEA, would be special education. All this amendment does is seek to go down the road of trying to cover that unfunded mandate Washington is placing on our local schools.

It says to other Members, "Be consistent. If you voted for House Concurrent Resolution 84, as 413 Members did, then be consistent and vote for this amendment putting \$300 million into IDEA and leaving the growth of the 21st Century Learning Centers to be a 50 percent growth for fiscal year 1999."

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. Does any Member wish to claim time in opposition?

Mr. PORTER. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN pro tempore. The gentleman from Illinois (Mr. PORTER) is recognized for 5 minutes.

Mr. PORTER. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I am opposed to this amendment. We have done more to increase IDEA than any other governmental account. It has been placed at the highest priority. It has the highest dollar increase of any other educational account. There is half a billion dollars in this bill of increase. We bring up the account to \$5.5 billion.

Over the last 5 years we have doubled the funding for IDEA. It is a high, high priority for us, Mr. Chairman. But there are other programs that are important, as well. The 21st Century After-School Learning Centers provide kids who are in high-risk neighborhoods with an opportunity to be off the streets. It places them in an educational environment where they are not going to get into trouble. They are not going to end up in prison. They are not going to be able to lose their chance for an education. They will get an opportunity to get ahead in our society.

This is where the money is going. It is providing them safe havens at a time when crime is often being committed by young people. We want to get them off the streets.

While I respect the gentleman and his amendment, I believe that we have

done everything we possibly can do for IDEA. I think this is a very important and effective program, and I think the amendment therefore is misguided.

Mr. RYAN of Wisconsin. Mr. Chairman, I ask unanimous consent to reclaim the balance of my time.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Wisconsin (Mr. RYAN) has 1 minute remaining.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 30 seconds to the gentleman from Kansas (Mr. TIAHRT), a cosponsor of this amendment.

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

Mr. TIAHRT. Mr. Chairman, I think this amendment is important because we are taking a program that is going to increase. We are not taking away the large portion of the increase. We are still leaving \$100 million as an increase in the 21st century learning program. We are simply redirecting the remaining money to a higher priority. That is the special education program.

I think it is a good amendment. I think it meets the priorities of this House as was voted on just last May. I would ask the Members to support the Ryan-Tiahrt amendment.

Mr. Chairman, I rise today in strong support of this amendment. Forty days ago this very body stood up and by an overwhelming vote of 421-3 passed H.R. 4055, the IDEA Full Fund Act stating this Congress' commitment to fully funding the Individuals with Disabilities Education Act. Many of my fellow colleagues joined me at this podium and asserted our responsibility to live up to our promise to our school districts. Additionally, last May we passed H. Con. Res. 84, again by an overwhelming vote of 413-2, which urged Congress and the President to give programs under the Individuals with Disabilities Education Act the highest priority among Federal elementary and secondary education programs. The highest priority.

The legislation increases IDEA funding by \$500 million from FY2000 funds, continuing the Republican Congress' record of consistently adding money to the IDEA program. I commend Chairman PORTER for his drastic increase in IDEA funding from 13 percent to 25 percent. It is under his and Chairman GOODLING's guidance that we have stepped up our efforts to help local school districts comply with IDEA mandates. However, even this great increase is still about \$1.5 billion short of the 40 percent funding we promised to our school districts. This is a good bill that will improve our nation's schools. I just believe that we have an opportunity to do even more to ease the burden IDEA has placed on school districts.

My home state of Kansas can expect to see about a quarter of the promised \$69 million this year for IDEA mandates. Anyone who has spoken with school officials in their districts know that this is inadequate. While school districts are forced to rob Peter in order to pay Paul to meet IDEA mandates, at the expense of both children with and without disabilities,

Congress has increased funding for Department of Education programs that are not vital to our children's education. One such program, the 21st Century Learning Centers program, has ballooned 800 percent in the last 4 years. This program was originally funded at \$750,000 to help rural areas maximize their resources. I am not looking to eliminate the 21st Century Learning program. I am only looking to cut the increase in funding by \$300 million, about half of the \$600 million it was funded, and still a 400 percent increase from FY1996 funding.

I don't know how many Members have toured special education facilities in their home districts. I have. I have toured Levy Special Education Center in Wichita and seen these special children. I have met with special education teachers and listened to their frustration about the lack of funding combined with the burden of increased paperwork.

Twenty-five years ago with the passage of IDEA the Federal Government mandated that our local school systems educate all children, even those with severe mental and physical disabilities. IDEA has placed an extreme financial burden on our public schools which could be partially alleviated by keeping our commitment to fully fund 40 percent of the program. To not do so, and instead increase funding for programs like the 21st Century Learning Centers, we are completely ignoring the needs of our local school districts. I challenge my fellow colleagues to live up to their vote last month and support our effort today to put more money into IDEA.

Mr. PORTER. Mr. Chairman, I yield 2½ minutes to the gentleman from Wisconsin (Mr. OBEY) for purposes of control.

The CHAIRMAN pro tempore. Without objection, the gentleman from Wisconsin (Mr. OBEY) will control 2 minutes.

There was no objection.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, I rise in strong opposition to the Ryan amendment, and support the chairman's opposition.

Mr. Chairman, this is a measure which would cut the 21st Century Community Learning Centers program by \$300 million. This amendment is a wolf in sheep's clothing. This wolf is ready to attack our students.

By drastically cutting this program, the gentleman from Wisconsin (Mr. RYAN) and other Members of this House would be responsible for pulling our children out of safe educational settings and sending them to empty homes and to unsafe streets.

The gentleman's State, Wisconsin, has 19 programs. Our State, New Jersey, has seven. We have been planning for this for over 6 months. Now the gentleman is going to pull the rug out from what we believe is going to be a very successful program because it has brought together many segments of the community for something that is worthwhile, something very tangible, and something very educational.

Mr. Chairman, this would dismantle new programs. It would stop us looking

to other places where these programs should be implemented. This amendment would cut over \$260,000 in one system alone. That is Passaic, New Jersey. I ask for the defeat of this amendment.

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the reason this bill is here is because 15 million kids go home every day to an empty house because so many of them have two parents working outside of the home. That is why we are providing after-school centers.

If this amendment passes, we will be ignoring the fact that most of the juvenile crime in this country occurs between the hours of 3 o'clock in the afternoon and 7 in the evening. We will be ignoring the fact that this amendment would cut back by 27 percent each and every one of the grants that now serves some 3,000 centers in the United States.

If we take a look at the way this program works that the gentleman is trying to cut, 28 percent of the kids who are participating in these after-school activities have been identified as kids with disabilities.

In terms of need, if we want to measure it, just recognize the fact that there are 2,200 communities which have requested that we provide a total of \$1.3 billion in assistance for after-school centers. The agency has been able to fund only 310 new grants. That is not enough to meet the problem.

I would suggest to the gentleman, I appreciate where he wants to put the money, but where he wants to take the money from is a tremendously bad idea. If Members care about youth discipline, if Members care about crime, I urge rejection of the amendment.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

A few brief points. This program goes vastly beyond its original intent, even stated by the author of the program.

Two, even with this amendment, after-school programs will be vastly increased. Even with this amendment, in fiscal year 1999 there is a \$100 million increase.

Number three, it really comes down to an issue of local control. If we vote to fully fund IDEA and get as close to that goal as possible, we are voting for any program that helps local school districts, because we are voting to put those dollars in the hands of local education decision-makers. It is a vote for after-school programs. It is a vote for local control.

Mr. PORTER. Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. CUNNINGHAM), a member of the subcommittee.

Mr. CUNNINGHAM. Mr. Chairman, Members do not know how good it is to work on a bipartisan basis on an amendment with the other side.

Both sides, the gentleman from Pennsylvania (Mr. GOODLING) and the

gentleman from Illinois (Mr. PORTER) and my colleagues, have worked for after-school programs, not just babysitting, but to make sure there is education going on. I laud that from both sides.

Alan Bersin is the Superintendent of Schools in San Diego. I support him 100 percent. He is one of my champions. He is a Clinton appointee on the board, and before now he was superintendent.

If we really want to help special education, we are losing thousands of good teachers that just want to teach in special education. But there are trial lawyers that are using and abusing the schools and forcing many of these teachers out.

This is an area where we can come together and work to actually enhance special education, instead of having trial lawyers take all the money that we are trying to help with that.

I laud my colleagues on the other side for supporting the after-school programs. I thank the gentleman from Illinois (Mr. PORTER) and the gentleman from Pennsylvania (Mr. GOODLING).

The CHAIRMAN pro tempore. All time has expired. The question is on the amendment offered by the gentleman from Wisconsin (Mr. RYAN).

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

Mr. RYAN of Wisconsin. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from Wisconsin (Mr. RYAN) will be postponed.

□ 1545

The CHAIRMAN pro tempore (Mr. PEASE). Are there further amendments?

AMENDMENT NO. 2 OFFERED BY MR. GARY MILLER OF CALIFORNIA

Mr. GARY MILLER of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. GARY MILLER of California:

Page 64, after line 6, insert the following:
SEC. 306. The amounts otherwise provided by this title are revised by decreasing the amount made available under the heading "DEPARTMENT OF EDUCATION—EDUCATION REFORM" for ready to learn television, and by increasing the amount made available under the heading "DEPARTMENT OF EDUCATION—SPECIAL EDUCATION" for grants to States, by \$16,000,000.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from California (Mr. GARY MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. GARY MILLER).

Mr. GARY MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Ready-to-Learn television program was created by the Improving America's School Act of 1994. It was intended to support the first national educational goal of Goals 2000, that by the year 2000 all American children begin ready to learn for school.

The Ready-to-Learn television program authorizes the Secretary of Education to award grants to enter into contracts or cooperative agreements with nonprofit entities to develop, produce, and distribute educational instructional television programming and support materials.

The target age group is pre-school and elementary age children. In the past, it has gone to a collaboration between the U.S. Department of Education and the Corporation of Public Broadcasting.

We are transferring money from one Federal agency to another.

We are not against funding quality educational television programs. This vote is not a referendum on the validity of spending \$16 million on the Ready-to-Learn television program. This vote is about prioritizing our limited educational dollars as we go. Meeting the direct needs of our local districts should be our first priority.

Labor HHS also increases the Corporation for Public Broadcasting's budget by an additional \$15 million, as requested, for a total of \$365 million. That does not include the \$16 million.

Special education has been chronically underfunded. In 1975, Congress passed the Individuals with Disabilities Education Act.

The Ready-to-Learn television program basically supports two shows, Dragon Tales and Between the Lions. Cutting the Ready-to-Learn television program does not cut Sesame Street, Mr. Rogers' Neighborhood, Teletubbies, Barney, Arthur, Theodore Tugboat, Noddy, Zoom, or any of the programs children watch.

We need to prioritize our dollars. We need to vote for special education. I ask for support for this amendment.

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) seek to claim the time in opposition?

Mr. PORTER. I do, Mr. Chairman. The CHAIRMAN pro tempore. The gentleman from Illinois (Mr. PORTER) is recognized for 5 minutes.

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the amendment. The amendment would eliminate all funding for the Ready-to-Learn TV program and puts the money into IDEA State grants.

Now I just indicated on the last amendment that we have made IDEA State grants a high priority in our bill. We increased it up by half a billion dollars this year. I am at a loss to understand why the gentleman would target the Ready-to-Learn service that serves 132 public television stations in 46 different States, including his own.

Ready-to-Learn TV currently provides a minimum of 6.5 hours of non-violent educational programming each day. The number of participating stations across the country has grown from 10 stations in 1994 to 132 in the year 2000, reaching 90 percent of American homes.

In addition, two new daily children's educational programs, *Dragon Tales* and *Between the Lions*, and two parenting initiatives, have been developed as a result of this project.

The program was recently reauthorized as part of both the House and the Senate ESEA bills.

I believe that while the gentleman has a very wise intention to continue to increase IDEA funding, we have certainly done a far better job in this area than the President has suggested in his budgets, which are after all political documents. Nevertheless to zero out this effective program that is subscribed in almost every State in the Union and by so many of our public television stations, seems to me to be unwise. I would oppose the amendment.

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

Mr. GARY MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I commend the chairman for his work on IDEA. He has done a commendable job, and this is in no way to impugn his efforts in that direction, but we have a limited amount of funds. We have to say when a child spends a little over 4,000 hours in front of a television before they start school, does the Federal Government need to fund an additional \$16 million each year for *Dragon Tales* and *Between the Lions* when we need to prioritize our funds?

The money should go to the classroom. This is reasonable. It is established by offsets. We are not trying to drag monies in that do not exist and we are just saying we have made a promise to fund special education. We have not complied with that promise. We have left local districts underfunded. This is a small amount of money, \$16 million, but when we are dealing with monies that are not available it can be a large amount of money, and I ask for support of this amendment.

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

Mr. PORTER. Mr. Chairman, I ask unanimous consent that the gentleman from Wisconsin (Mr. OBEY) control 2 minutes of my time, for the purpose of yielding time.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. OBEY. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I will simply say this is the kind of amendment that should be supported if you believe that our young children are being exposed to too much quality television. If you think that they are not, then I think it

is an amendment that one ought to oppose.

Mr. Chairman, I yield the rest of my time to the gentleman from New Jersey (Mr. ANDREWS).

The CHAIRMAN pro tempore. The gentleman from New Jersey (Mr. ANDREWS) is recognized for 1½ minutes.

Mr. ANDREWS. Mr. Chairman, I thank the gentleman from Wisconsin (Mr. OBEY) for yielding me time.

Mr. Chairman, I rise in opposition to the amendment and in support of the position expressed by the gentleman from Illinois (Mr. PORTER) and the gentleman from Wisconsin (Mr. OBEY).

I think one of the most effective ways to reduce the need for special education is to improve reading skills for very young children. \$16 million for a program that reaches every corner of the country is a very modest, and I believe very wise investment.

Many of the special education problems in our public schools are actually misidentified because they are reading problems. They are children that are struggling in school because they never built the building blocks of reading skills in the early ages.

Now getting children to a quality pre-K program is a noble goal. It is something I believe we ought to do, but for many families it is an impossible goal. It is much more possible for the family and the children to gather at the appropriate time in front of a television set and begin to pick up some of those skills in the privacy of the home.

This is a very small investment in a very great need, and I believe that the amendment is misguided. It is certainly wise in trying to add to special education but reducing the need for special education is what we get when we invest in reading.

I oppose the amendment.

Mr. GARY MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is interesting the concept that government must provide quality television. It is the first time I have heard an argument maybe children should come home at night and watch TV instead of do homework. I think dollars belong in the classroom. When we have a shortage of dollars and we have made a commitment and a promise to special education classes that we are going to fund them, and we have yet to do that, to make an argument that we need to provide more television time for children at home rather than an opportunity for them to learn in the school is a different argument, an argument I am unaccustomed to hearing.

It is interesting that the House budget in 1997, 1998, 1999 and 2000 allocated zero dollars for this program. It came back from the Senate with a final appropriation bill in 1997, 1998, allocating \$7 million.

There are a lot of sponsors in this country looking for an opportunity to sponsor good television shows. We argue against tobacco companies for

advertising and encouraging young people to smoke. Obviously, advertising works. Sponsors will put their money where it works. If money works in good television shows for young people, they will sponsor those shows. But when we are dealing with the government having to fund television and when we have special education fundings that should be provided for and we are not providing for them, that is not a very good argument. I think we need to put our money in the classroom, put our money where our mouth is and support this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. PORTER. Mr. Chairman, I yield the balance of our time to the gentleman from California (Mr. CUNNINGHAM).

The CHAIRMAN pro tempore. The gentleman from California is recognized for 1 minute.

Mr. CUNNINGHAM. Mr. Chairman, once again I find myself up here in support, and I would say to my colleague, the ranking minority member on the committee, in the regards to Archie the Cockroach, which I have right here, in this bipartisan support against this amendment, children do watch too much television. They are going to watch television. If we look at the violence and the things that are out there, I want my children watching something that is going to improve their literacy, that is going to improve their knowledge on education, especially for those who are going to enter kindergarten. This has been proven the case.

If we were talking about some of the other programs, yes, I would support this, but in this particular case I reluctantly oppose the gentleman's amendment. In the spirit of Archie the Cockroach, I support the gentleman's position.

Ms. BROWN of Florida. Mr. Chairman, I rise in opposition to this amendment.

This amendment robs Peter to pay Paul, and will gut the Ready to Learn program that serves as an educational tool for millions of school age children.

The sole PBS station in my home city of Jacksonville provides quality educational, cultural, and information programming services that directly affect the quality of life of my constituents. They have been doing a tremendous job of providing top notch outreach and pro-children programming with the limited Ready to Learn funds they receive. They are partnering with the local public library and children's commission to provide outreach and training to underserved communities, and have been recognized by the county school systems Teen Parent Program for providing outstanding service to young mothers. All of this with a meager \$12,000.

It's unbelievable to me that we can stand here on the House floor and talk about tax cuts while we strip funds from our PBS stations. I agree that we need more funding for special education programs, but not at the expense of a program that serves millions of young children.

I ask my colleagues to do the right thing. Oppose this amendment and save these valuable funds.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California (Mr. GARY MILLER).

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

Mr. GARY MILLER of California. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from California (Mr. GARY MILLER) will be postponed.

The point of no quorum is considered withdrawn.

Mr. OBEY. Mr. Chairman, I move to strike the last word and yield to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, the gentleman from Illinois (Mr. PORTER) said before that Democrats are operating without limits, and that is why the deficits got out of control. I was really puzzled by those comments.

Mr. Chairman, I would like the gentleman from Wisconsin (Mr. OBEY), our ranking member, to clarify for the record that statement.

Mr. OBEY. Mr. Chairman, I would not do this but because we have repeatedly heard the statements that it is the uncontrolled spending of the Democrats that have caused the deficits, I want to repeat a little history lesson.

This graph shows that at the end of World War II our national debt, as a percentage of our total national income, was more than 100 percent because we fought World War II first and thought about paying for it afterwards. If we had not done that, Hitler flags would be flying all over the world.

That dropped under a succession of Presidents, Republican and Democrat, until the debt was down to about 23 percent of our total national income. Then it stalled out between, say, 1973 and 1979 with the two energy crises under President Ford and President Carter.

President Reagan got elected. The Congress passed his budgets which doubled the defense spending on borrowed money and which cut taxes by very large amounts at the same time. As a result, as the gentleman from Maryland (Mr. HOYER) pointed out last night, the debt exploded as a percentage of our national income and in all other ways. We added over \$4 trillion to the debt, and it was pushed back up to about 50 percent of our annual national income.

Since that time, the President has recommended budget changes and the economy has resurrected itself at a remarkable rate, and at this point we are rapidly on our way to eating into that debt both as a percentage of our national income and in terms of its overall dollar amount.

What we have been doing the last 18 years, we have been spending the last 18 years trying to eliminate this debt

bubble that was caused by the irresponsible spending of the President and the Congress under the Reagan administration.

President Bush signed a budget agreement that began the downturn and President Clinton got his budget package through the Congress by one vote in both houses, which substantially reduced that debt.

So all I would say, in response to the gentlewoman, is that I will never again listen to any lectures on the other side of the aisle about being responsible in terms of spending and debt, because we have spent the last 18 years trying to get back to a budget which is reasonably in balance, and thankfully we now are. So the issue is not what happened yesterday but what we ought to do tomorrow. We think that since we have moved from an era of deficits to an era of surpluses that not all of those surpluses should be used for tax cuts; that some of them should be reserved to deal with Medicare, with education, with health care, with child care, and that is what we are trying to do in these amendments.

Mr. Chairman, I thank the gentlewoman for her question.

□ 1600

Mr. PORTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I am not going to bring Archie out this time. Mr. Chairman, in the spirit of Archie, I have got to oppose the statements of the gentleman from Wisconsin (Mr. OBEY).

First of all, the proof is in the pudding right here today. The Democrats controlled this House and Senate almost exclusively for 40 years. Spending is controlled within Congress, not the President of the United States. We sent him the bills.

The President in every one of his budgets, not many Democrats ever supported it, nor Republicans. We brought it up to show how ridiculous it was. It was a political document. I would say in the spirit of Archie, Republican Presidents have done similar things.

But the proof is in the pudding right here today. No matter what we put as a mark within the balanced budget, within a budget frame, they want more. They want more and more and more. Just like they have in every single one of their appropriations bills, every single time, which drives up the debt.

For 40 years, did they have a balanced budget? Absolutely not. They had \$200 billion deficits as far as one can see. Welfare reform, which limited their spending, welfare, they spent trillions of dollars in just dumping more money into it. Sixteen years is the average. Now, we have people working, bringing home a paycheck instead of letting the children see them bring home a welfare check. Billions of dol-

lars of revenue in, and not the Democrats when we talk about policies that increased.

President Kennedy, along with Ronald Reagan, recognized that tax refunds to the American people, they are going to go out and buy a double egg, double cheese, or double fry burger, or a car or buy real estate; and that money is going to turn over. That revenue is going to provide tax money to the general fund. That has always been the case.

But, yet, my colleagues on the other side, tax increases, look at 1993 in the tax increase. Then we have eliminated many of those tax increases on the American people. Look what has happened to the economy. But they cannot help themselves increasing taxes, and then every dime out of the Social Security Trust Fund they spent and put in IOUs, which drove up the debt over \$5 trillion.

We said no more. Let us put it into a lockbox. Guess what, we are paying off the debt by the year 2012. Forty years they had to do that. We have been in leadership for 5 years. Look at the difference.

The chart of the gentleman from Wisconsin (Mr. OBEY) is almost laughable, because in every single appropriations bill we bring up, except for defense, watch my colleagues try and increase spending above a balanced budget.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. PORTER. How much time is remaining, Mr. Chairman?

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman from Illinois (Mr. PORTER) has 2 minutes remaining.

Mr. PORTER. I yield to the gentleman from Tennessee (Mr. FORD).

Mr. FORD. Mr. Chairman, I would just say to the gentleman from California (Mr. CUNNINGHAM), I appreciate the talk. I was elected in 1996. But in 1993, the tax bill that was passed by the Congress, there were those on the other side of the aisle who suggested it would cause unemployment to rise, interest rates to rise, and the economy to move in the wrong direction.

But if I am not mistaken, 8 years ago, the DOW was at 3,500; it is now three times that amount. We had a \$390 billion projected deficit for last fiscal year. We are now running \$180 billion plus surplus. According to the front pages of newspapers around the country, those projections are conservative.

I appreciate the gentleman from California trying to take credit. I think there is a lot of credit to be given here, as entrepreneurs and innovators deserve a lot of it as well. But to suggest that we are at fault here, I think, is somewhat of a misnomer.

Mr. CUNNINGHAM. Mr. Chairman, if the gentleman from Illinois (Mr. PORTER) will further yield, the fact is that one can spend it any way one wants. The gentleman from Tennessee (Mr. FORD) is my friend, and he knows that. One can spend this any way one wants.

But increasing the taxes on the American people does not stimulate the economy. Not operating under a balanced budget does not.

Those taxes that Democrats supported without a single Republican vote, we have repealed the Social Security tax. We have balanced the budget. We brought revenue in with welfare reform. We saved Medicare. We put Social Security in the trust fund. Those are the economic stimulus that I think have stimulated the economy, not a tax increase.

Mr. FORD. Mr. Chairman, if the gentleman from Illinois (Mr. PORTER) will further yield, I would just contend that we all deserve a little credit for that.

The CHAIRMAN pro tempore. Are there further amendments?

AMENDMENT NO. 203 OFFERED BY MR. SCHAFFER

Mr. SCHAFFER. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 203 offered by Mr. SCHAFFER:

Page 64, after line 6, insert the following:
 SEC. 306. The amounts otherwise provided by this title are revised by decreasing the amount made available under the heading "DEPARTMENT OF EDUCATION—EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT" for the research activities, and by increasing the amount made available under the heading "DEPARTMENT OF EDUCATION—SPECIAL EDUCATION" for grants to States, by \$10,356,700.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Colorado (Mr. SCHAFFER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. SCHAFFER).

Mr. SCHAFFER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I ask for favorable consideration of the amendment I have offered. What that amendment does is shifts approximately \$10.3 million toward the Individuals with Disabilities in Education Act funds, special education as we know it.

Mr. Chairman, this House has acted three times in recent months on establishing for ourselves and for the country a priority of fully funding the Individuals with Disabilities in Education Act. This first was initiated in the first session, about a year, a little over a year ago, where 413 of us said that this is the highest priority in the Department of Education.

Let me reemphasize that, because the funds I am shifting come from the Office of Education Research and Improvement and some research expenditures; I might also add, the same funds that the gentleman from Indiana (Mr. ROEMER) proposed to move \$25 million from earlier.

That is a priority for some clearly, but I would submit and defy anyone to challenge my statement that IDEA is the highest priority established by this

Congress. I say that because 413 of us voted for those exact words, that the fund I am proposing to increase by \$10 million is the highest priority that we have.

So I do not want to get into the debate of whether the funds we are moving are coming from a priority, only whether it is true that we are shifting funds from a lesser priority to a higher priority. I think when viewed within that context, I hope that the numbers will be similar on this amendment that they were when we established that priority a little over a year ago.

Now, just a month ago, we passed a similar resolution where we suggested that we would fund this year's IDEA to the tune of \$7 billion. Well, we have not really done that. We have added, I think, a half a billion dollars, which is a billion and a half short of where we promised the American people we were headed. In fact, in that resolution, the schedule is lined out right in the bill itself. My colleagues can take a look at it. It was H.R. 4055. It says right here, in 2001, we will authorize for appropriations \$7 billion. We are a billion and a half short of that, despite the heroic efforts, I might add, of the chairman and others who believe that IDEA is a high priority.

I am here to make a case that it is, in fact, the highest priority. When we make the promise to the American people, not once, not twice, but in fact three times, then we ought to fulfill that promise and make a stronger effort. I am suggesting at least to the tune of \$10 million how we might be able to do that.

Then, finally, in the budget resolution, which just passed days ago, we assumed at least a \$2 billion increase in fiscal year 2001 over the current fiscal year as part of our commitment to get us to 40 percent of full funding, the congressional promise to the Individuals with Disabilities in Education Act.

Mr. Chairman, I urge favorable adoption of my amendment.

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

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) claim the time in opposition?

Mr. PORTER. Mr. Chairman, I claim the time in opposition, and I yield 1 minute of that time to the gentleman from Wisconsin (Mr. OBEY), and ask unanimous consent that he be permitted to control that time.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Illinois (Mr. PORTER)?

There was no objection.

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume.

I appreciate that the gentleman from Colorado (Mr. SCHAFFER) is a very strong supporter of IDEA. All of us are. We put it at the very highest priority. Other programs are a priority also. We cannot know whether educational programs, including IDEA, work unless somebody evaluates how they work.

The Federal Government is the primary source of funds for long-term investment in national education research and development. Much of what we know about how to improve schools, much of what we know about how kids learn has come from investments made over the past 30 years.

The education industry is a \$584 billion industry. It absorbs 7.2 percent of our gross domestic product. But we spend only three-hundredths of 1 percent of that money on R&D, education research and development, learning what works and what does not work and how to improve the learning of our children. Most of that spending is cut by this amendment.

The President's 1997 Technology Advisory Report and Senator FRIST's 1998 Budget Committee Education Report and this year's Republican Main Street Partnership paper all call for more spending, not less, on education R&D.

Cutting education statistics will eliminate the retesting of students who took the TIMS exam, which found our students lacking in math and science knowledge. This will prevent our Nation from knowing whether our students are getting better or worse in those very, very important areas.

Mr. Chairman, the desire to increase IDEA is one we certainly share with the gentleman from Colorado (Mr. SCHAFFER). But taking money from this account is not wise. We need to know what works and what does not work. This is very, very important spending. I urge Members to oppose the amendment.

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

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, we spend billions of dollars of taxpayers' money on education. We spend it on programs with various groups in the education community promoted as being good ideas.

We spent a fraction of that amount to actually determine what works and what does not. Each Member brings to this floor his ideology, his biases, his prejudices. Once in a while, maybe a few facts. But the fact is that, without education research, we are flying blind. We are spending the taxpayers' money blindly, and we are more likely rather than less likely to put it in the wrong places.

That is why I think the amendment is wrong and should be defeated.

The CHAIRMAN pro tempore. The gentleman from Colorado (Mr. SCHAFFER) has 1½ minutes remaining. The gentleman from Illinois (Mr. PORTER) has 2 minutes remaining and has the right to close.

Mr. SCHAFFER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to address a couple of points. One, it was said that this amendment cuts most of

the funds where research is concerned. The reality is this cuts a fraction of the funds from our research efforts, about 10 percent to be exact. In fact, much less than what was proposed by the gentleman from Indiana (Mr. ROEMER) earlier today.

Secondly, the notion that this is a reliable use of funds today is also errant in my estimation. I would point to the testimony given by a witness that was called before the Committee on Education and the Workforce by the Democrats. This is Dr. Robert Slavin, who was the co-director of the Center for Research on Education of students placed at risk. He says, "OERI does have a good deal of money, but very little of it is for anything like research. This must change. We can talk all we want about standards or assessment or governance or charters or vouchers or other policy initiatives. But until every teacher is using better methods and materials with every child every day, fundamental change is unlikely."

I guess, Mr. Chairman, this really is the focus of the decision I am asking us to make now. We have established for the country the high priority of getting funds to those children who have various disabilities where education is concerned.

The Supreme Court has ordered the Congress to make sure that those children have equal access to an equal education. Do not steal funds from those children for programs of questionable merit and value. Again, research funds may have some merit to some, but they do not achieve the high priority of disabled children. Please fund them first.

Mr. PORTER. Mr. Chairman, I yield myself the balance of the time. The gentleman from Colorado (Mr. SCHAFFER) is correct. What I meant to say was that most of the money involved in the gentleman's amendment comes from the spending cut by this amendment.

I would say to the gentleman, he quoted Dr. Slavin of Johns-Hopkins. If one looks at the models contained as suggestions in the Porter-Obey comprehensive school reform legislation, half the model cited in the legislation were Federally funded including Dr. Slavin's own model itself.

Another example, the Nation's only nonbiased paper on class size reduction and one that is cited by Republican and Democratic Senators alike during last month's ESEA debate over in the Senate was done through education research and development.

□ 1615

Studies making exit exams more accurate, ensuring that States attempt to use standard-based exit exams and actually test what students know, are developed through education R&D.

This is a very important account. We need to evaluate the programs that we have in existence and those that are proposed. It would be a serious mistake

to undercut the funding in this account; and, in fact, most observers on both sides of the aisle believe that this funding ought to be increased.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. PEASE). The question is on the amendment offered by the gentleman from Colorado (Mr. SCHAFFER).

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

Mr. SCHAFFER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from Colorado (Mr. SCHAFFER) will be postponed.

The Clerk will read.

The Clerk read as follows:

This title may be cited as the "Department of Education Appropriations Act, 2001".

TITLE IV—RELATED AGENCIES

ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the United States Soldiers' and Airmen's Home and the United States Naval Home, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$69,832,000, of which \$9,832,000 shall remain available until expended for construction and renovation of the physical plants at the United States Soldiers' and Airmen's Home and the United States Naval Home: *Provided*, That, notwithstanding any other provision of law, a single contract or related contracts for development and construction, to include construction of a long-term care facility at the United States Naval Home, may be employed which collectively include the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause "availability of funds" found at 48 CFR 52.232-18 and 252.232-7007, Limitation of Government Obligations.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

For expenses necessary for the Corporation for National and Community Service to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, \$294,527,000: *Provided*, That none of the funds made available to the Corporation for National and Community Service in this Act for activities authorized by part E of title II of the Domestic Volunteer Service Act of 1973 shall be used to provide stipends or other monetary incentives to volunteers or volunteer leaders whose incomes exceed 125 percent of the national poverty level.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2003, \$365,000,000: *Provided*, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: *Provided further*, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex.

AMENDMENT NO. 182 OFFERED BY MR. OXLEY

Mr. OXLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 182 offered by Mr. OXLEY: Page 65, line 22, strike "\$365,000,000" and insert "\$361,350,000".

The CHAIRMAN pro tempore. Pursuant to the order of the House of Thursday, June 8, the gentleman from Ohio (Mr. OXLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. OXLEY).

Mr. OXLEY. Mr. Chairman, I yield myself such time as I may consume.

I want to begin first, Mr. Chairman, by thanking my good friend, the gentleman from Chicago, Illinois (Mr. PORTER), for his service to this institution for so many years. We will all miss his great leadership on the Committee on Appropriations. It has been a pleasure to work with him on a number of issues.

Mr. Chairman, I have an amendment that reduces the funding for the Corporation for Public Broadcasting by 1 percent. Let me begin by saying that it is unfortunate that the last authorization for the CPB expired in 1996 and, as a result, in the failure of the authorization process, the Committee on Appropriations has basically been appropriating funds for CPB during that time, including today's bill.

The CPB funding makes up approximately 14 percent of public broadcasting's budget. Last year's appropriations bill increased CPB spending by some \$10 million and this year the bill that my friend from Illinois brought forward has another \$15 million increase. With this kind of increase each year that appropriators have provided for CPB, I would argue that it leaves little room or any incentive for reform by CPB. And, indeed, they need reform.

All of us are familiar with last year's fiasco, when it became obvious that PBS had swapped donor names with Democrats for a number of years and affected thousands and thousands of members of public broadcasting stations all over the country. And while the stations ultimately apologized, it turned out it was a far more widespread scandal than anyone could have anticipated. But the fact is that this Congress, nor anybody else, has really reacted to provide some kind of incentive for CPB to look at some real reforms and some accountability for what went on.

These were illegally shared lists of donors with Democratic campaigns. Many of my colleagues will recall that when we had the hearing in the Committee on Commerce, CPB came in and initially said that this was also shared with Republican groups. Those Republican groups turned out to be non-existent and, in fact, this was clearly an effort by CPB to work with the

Democrat campaigns and Democrat donors. I wrote language in last year's satellite bill to protect the privacy of contributions to PBS and NPR stations but there was never any sanction for the violation of this public trust.

In 1997, it was discovered that senior executives at NPR and PBS had evaded a statutory cap on their pay by granting themselves bonuses of up to \$45,000 a year, which gave them more pay than the Secretary of State, other cabinet officials, and Members of Congress. Rather than complying with the law, they hired expensive lobbyists to get the cap lifted. Public records show that PBS alone payed Covington & Burling \$60,000 to get the cap removed.

Last year, it was revealed that PBS headquarters in Old Town Alexandria employs a professional masseuse as part of its "preventive health" program. So much for providing cultural content as part of public broadcasting.

Now, many of these NPR stations and public stations have, I think, started to understand that maybe some time in the future the Federal largess will end. And as they expand into Internet ventures, satellite, radio, and digital cable, I think, frankly, this provides the opportunity that we have all been looking for to wean public broadcasting away from the Federal Treasury and the taxpayers' money. And, indeed, the digital conversion that is mandated in the Telecommunications Act sets up the possibility for public broadcasting to go digital and to have the capability, at least in part of their digital programming, to provide the necessary funding that can wean them away from this dependency on taxpayers' dollars.

So, for that, I applaud them. I think it makes a lot of sense, if they will continue to follow through, make those kind of changes necessary. And, in fact, as I told our worthy chairman, I support the concept of digital transition for public broadcasting. I support the money necessary, the \$10 million. I wish we had authorized a program in the Committee on Commerce so we could have done exactly that, and I would have been the first to support it. Because I think it provides the magic key to separating the tax dollars from the members.

Mr. Chairman, I would ask that the 1 percent cut that we have proposed, the gentleman from Arizona (Mr. SHADEGG) and myself, be accepted.

The CHAIRMAN pro tempore. Does any Member claim time in opposition?

Mr. PORTER. I claim time in opposition, Mr. Chairman.

Do I understand the gentleman's time has expired?

The CHAIRMAN pro tempore. That is correct.

Mr. PORTER. Mr. Chairman, I yield myself 2½ minutes.

If I may say so, Mr. Chairman, I have the highest regard for the gentleman from Ohio. He is an expert in this area as a member of the Subcommittee on Telecommunications, Trade, and Con-

sumer Protection. But I think I am correct in saying that the scandal, and that is a proper designation for what happened, involved 53 public television and public radio stations. Twenty-nine were TVs and 24 were radio grantees who exchanged or rented donor lists with political entities. Clearly, this activity should not have taken place. But it was 53 out of over 1,000 stations, and it certainly was not as widespread as the news reports first indicated.

In July of 1999, the Corporation for Public Broadcasting adopted a policy to ban such practices and worked cooperatively with Congress on a statutory prohibition, which we passed in November 1999 as part of the Satellite Home Viewers Act. A thorough investigation determined that the motives of the minority of stations who were involved in this activity were not political but financial.

Now, clearly, there was wrongdoing involved. But cutting the appropriation, it seems to me, will undoubtedly hurt a lot of the very small stations that serve rural communities in the most isolated areas in our country. It will not provide the kind of sanction that I am sure the gentleman intends, to those larger stations that undoubtedly were part of this process.

We have a lot of large stations and large metropolitan areas that are not dependent at all on the Federal funding. They have a small amount of Federal funding and they can leverage funds. We also have a number of smaller stations in smaller markets that depend very heavily upon the grants from CPB through its affiliates, and those are the ones that an amendment like this can most likely hurt. They really need the money.

So while I certainly agree that the gentleman has put his finger on something that I deplore and all Members, I would hope, deplore, the misuse of political donor lists by certain stations. I would urge Members to oppose the amendment.

Mr. Chairman, I yield 2½ minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I think the gentleman from Ohio (Mr. OXLEY) is absolutely right. I think that we should require of every other program administrator in government the same pristine perfection that we demonstrate in the Congress every day.

I am being sarcastic. I assume people understand that. I mean, the gentleman is suggesting that because a tiny handful of stations allowed somebody to exchange fund-raising lists, that somehow they ought to pay a penalty for that by cutting back on funds which will assist them to deliver programming to every American.

Now, if Members are satisfied with what they get on the private TV networks, then, fine, be my guest and vote for this amendment. But all I would say is that I think, in general, the

quality provided on public television is considerably less violent, considerably less ridden with sexuality than the programs that we see on any of the major networks.

I would simply say that if Members of Congress had 1 percent deducted from their office budgets every time we did something stupid, we would be operating on budgets of zero. So I think that public broadcasting has already paid a very large penalty for what happened. They lost the momentum of their reauthorization bill that they had been working on for the last three sessions. They lost \$15 million for DTV conversion in 1999 that was appropriated contingent upon that authorization.

So it seems to me that, while the gentleman is perfectly within his rights to offer the amendment, I think it is ill-advised, and I will urge its rejection.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Ohio (Mr. OXLEY).

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

Mr. OXLEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from Ohio (Mr. OXLEY) will be postponed.

Are there further amendments to this section of the bill?

Mr. PORTER. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 84, line 17, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The text of the bill from page 66, line 6 through page 84, line 17 is as follows:

FEDERAL MEDIATION AND CONCILIATION
SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor-Management Relations Act, 1947 (29 U.S.C. 171-180, 182-183), including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95-454 (5 U.S.C. ch. 71), \$37,500,000, including \$1,500,000, to remain available through September 30, 2002, for activities authorized by the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a): *Provided*, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: *Provided further*, That fees for arbitration

services shall be available only for education, training, and professional development of the agency workforce: *Provided further*, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW
COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), \$6,200,000.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES
OFFICE OF LIBRARY SERVICES: GRANTS AND
ADMINISTRATION

For carrying out subtitle B of the Museum and Library Services Act, \$170,000,000.

MEDICARE PAYMENT ADVISORY COMMISSION
SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, \$8,000,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

NATIONAL COMMISSION ON LIBRARIES AND
INFORMATION SCIENCE
SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91-345, as amended), \$1,400,000.

NATIONAL COUNCIL ON DISABILITY
SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, as amended, \$2,450,000.

NATIONAL LABOR RELATIONS BOARD
SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141-167), and other laws, \$205,717,000: *Provided*, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereby is used for farming purposes.

NATIONAL MEDIATION BOARD
SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151-188), including emergency boards appointed by the President, \$9,800,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW
COMMISSION
SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission (29 U.S.C. 661), \$8,600,000.

RAILROAD RETIREMENT BOARD
DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section

15(d) of the Railroad Retirement Act of 1974, \$160,000,000, which shall include amounts becoming available in fiscal year 2001 pursuant to section 224(c)(1)(B) of Public Law 98-76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds \$160,000,000: *Provided*, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD
RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, \$150,000, to remain available through September 30, 2002, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98-76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, \$95,000,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund.

LIMITATION ON THE OFFICE OF INSPECTOR
GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, as amended, not more than \$5,380,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account: *Provided*, That none of the funds made available in any other paragraph of this Act may be transferred to the Office; used to carry out any such transfer; used to provide any office space, equipment, office supplies, communications facilities or services, maintenance services, or administrative services for the Office; used to pay any salary, benefit, or award for any personnel of the Office; used to pay any other operating expense of the Office; or used to reimburse the Office for any service provided, or expense incurred, by the Office.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance trust funds, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, \$20,400,000.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, \$365,748,000, to remain available until expended.

For making, after July 31 of the current fiscal year, benefit payments to individuals under title IV of the Federal Mine Safety and Health Act of 1977, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV of the Federal Mine Safety and Health Act of 1977 for the first quarter of fiscal year 2002, \$114,000,000, to remain available until expended.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92-603, section 212 of Public Law 93-66, as amended, and section 405 of Public Law 95-216, including payment to the Social Security

trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, \$22,791,000,000 (increased by \$85,000,000), to remain available until expended: *Provided*, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury.

In addition, \$245,000,000 (reduced by \$35,000,000), to remain available until September 30, 2002, for payment to the Social Security trust funds for administrative expenses for continuing disability reviews as authorized by section 103 of Public Law 104-121 and section 10203 of Public Law 105-33. The term "continuing disability reviews" means reviews and redeterminations as defined under section 201(g)(1)(A) of the Social Security Act, as amended.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2002, \$10,470,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed \$10,000 for official reception and representation expenses, not more than \$6,367,036,000 (increased by \$70,000,000) may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: *Provided*, That not less than \$1,800,000 shall be for the Social Security Advisory Board: *Provided further*, That unobligated balances at the end of fiscal year 2001 not needed for fiscal year 2001 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this information technology and telecommunications infrastructure: *Provided further*, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to section 7131 of title 5, United States Code, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

From funds provided under the first paragraph, not less than \$130,000,000 (increased by \$70,000,000) shall be available for conducting continuing disability reviews.

In addition to funding already available under this heading, and subject to the same terms and conditions, \$520,000,000 (reduced by \$70,000,000), to remain available until September 30, 2002, for continuing disability reviews as authorized by section 103 of Public Law 104-121 and section 10203 of Public Law 105-33. The term "continuing disability reviews" means reviews and redeterminations as defined under section 201(g)(1)(A) of the Social Security Act, as amended.

In addition, \$91,000,000 to be derived from administration fees in excess of \$5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93-66, which shall remain available until expended. To the extent that the amounts collected pursuant to such section 1616(d) or 212(b)(3) in fiscal year 2001 exceed \$91,000,000, the amounts

shall be available in fiscal year 2002 only to the extent provided in advance in appropriations Acts.

From funds previously appropriated for this purpose, any unobligated balances at the end of fiscal year 2000 shall be available to continue Federal-State partnerships which will evaluate means to promote Medicare buy-in programs targeted to elderly and disabled individuals under titles XVIII and XIX of the Social Security Act.

OFFICE OF INSPECTOR GENERAL
(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$14,944,000, together with not to exceed \$50,808,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

In addition, an amount not to exceed 3 percent of the total provided in this appropriation may be transferred from the "Limitation on Administrative Expenses", Social Security Administration, to be merged with this account, to be available for the time and purposes for which this account is available: *Provided*, That notice of such transfers shall be transmitted promptly to the Committees on Appropriations of the House and Senate.

UNITED STATES INSTITUTE OF PEACE
OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, \$15,000,000.

TITLE V—GENERAL PROVISIONS

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: *Provided*, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed \$20,000 and \$15,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed \$2,500 from the funds available for "Salaries and expenses, Federal Mediation and Conciliation Service"; and the Chairman of the National Mediation Board is authorized to

make available for official reception and representation expenses not to exceed \$2,500 from funds available for "Salaries and expenses, National Mediation Board".

SEC. 505. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

SEC. 506. (a) Purchase of American-Made Equipment and Products.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 507. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state: (1) the percentage of the total costs of the program or project which will be financed with Federal money; (2) the dollar amount of Federal funds for the project or program; and (3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

SEC. 508. (a) None of the funds appropriated under this Act, and none of the funds in any trust fund to which funds are appropriated under this Act, shall be expended for any abortion.

(b) None of the funds appropriated under this Act, and none of the funds in any trust fund to which funds are appropriated under this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term "health benefits coverage" means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 509. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

SEC. 510. (a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.208(a)(2) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term "human embryo or embryos" includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

SEC. 511. (a) LIMITATION ON USE OF FUNDS FOR PROMOTION OF LEGALIZATION OF CONTROLLED SUBSTANCES.—None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established by section 202 of the Controlled Substances Act (21 U.S.C. 812).

(b) EXCEPTIONS.—The limitation in subsection (a) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

SEC. 512. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in section 4212(d) of title 38, United States Code, regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 513. Except as otherwise specifically provided by law, unobligated balances remaining available at the end of fiscal year 2000 from appropriations made available for salaries and expenses for fiscal year 2000 in this Act, shall remain available through December 31, 2000, for each such account for the purposes authorized: *Provided*, That the House and Senate Committees on Appropriations shall be notified at least 15 days prior to the obligation of such funds: *Provided further*, That the provisions of this section shall not apply to any funds appropriated to the Centers for Disease Control and Prevention or to the Department of Education.

SEC. 514. Section 5527 of Public Law 105-33, The Balanced Budget Act of 1997, is repealed.

SEC. 515. (a) DATES FOR EVALUATION.—Section 403(a)(5)(H)(iii) of the Social Security Act (42 U.S.C. 603(a)(5)(H)(iii)) is amended by striking "2001" and inserting "2005".

(b) INTERIM REPORT REQUIRED.—Section 403(a)(5)(H) of such Act (42 U.S.C. 603(a)(5)(G)) is amended by adding at the end the following:

"(iv) INTERIM REPORT.—Not later than January 1, 2002, the Secretary shall submit to the Congress an interim report on the evaluations referred to in clause (i)."

SEC. 516. Section 403(a)(3)(A) (42 U.S.C. 603(a)(3)(A)) is amended—

(1) in clause (i), by striking “and” at the end;

(2) in clause (ii)—

(A) by striking “1999, 2000, and 2001” and inserting “1999 and 2000”; and

(B) by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new clause:

“(iii) for fiscal year 2001, a grant in an amount equal to the amount of the grant to the State under clause (i) for fiscal year 1998.”

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

SEC. 517. Section 410(b) of The Ticket to Work and Work Incentives Improvement Act of 1999 (Public Law 106-170) is amended by striking “2009” each place it appears and inserting “2001”.

□ 1630

AMENDMENT NO. 205 OFFERED BY MR. SCHAFFER

Mr. SCHAFFER. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. PEASE). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 205 offered by Mr. SCHAFFER:

Page 84, after line 21, insert the following:

SEC. 518. The amounts otherwise provided by this Act are revised by decreasing the amount made available in title I under the heading “DEPARTMENT OF LABOR—EMPLOYMENT AND TRAINING ADMINISTRATION—TRAINING AND EMPLOYMENT SERVICES” for the Job Corps program under the Workforce Investment Act of 1998, and by increasing the amount made available in title III under the heading “DEPARTMENT OF EDUCATION—SPECIAL EDUCATION” for grants to States, by \$42,224,000.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Colorado (Mr. SCHAFFER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. SCHAFFER).

Mr. SCHAFFER. Mr. Chairman, is it in order to request the rest of the amendment be read by the Clerk?

The CHAIRMAN pro tempore. Is there objection to the reading of the amendment?

There was no objection.

The CHAIRMAN pro tempore. The Clerk will read the amendment.

The Clerk read the amendment.

Mr. SCHAFFER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would ask favorable adoption of this amendment. This is an amendment that moves approximately \$42 million to the Individuals with Disabilities Education Act.

I have spoken on this topic before and proposed to increase the funding for IDEA in a previous amendment, and the philosophy here is quite the same. The Individuals with Disabilities Education Act is, quite frankly, a well-established priority, not only a priority, but the highest priority of the United States Congress. We have established that as the highest priority three times.

My colleagues, what we have accomplished, basically, is, if we fail to fulfill our obligation to fully fund the Individuals with Disabilities Education Act to the extent that we have promised previously, we have done the following:

In May of 1999, we promised about \$2 billion this year in increases for IDEA. We held the cash out to the American people for special education and we said, we are going to give this money to them.

About a month ago we came to the floor here and passed a similar resolution and said, we are going to fully fund the IDEA program; we are going to give this cash to them.

Just days ago we passed the budget resolution, where we suggested an authorization of a \$2 billion increase; and, for the third time, we said to the American public, those who are concerned about IDEA, we are going to give this money to them.

And today, the point at which it is time to actually give the money to those who care about special education, we are not going to do it because there are other priorities.

I will agree with those who say there are other priorities. But the fact is we have voted three times to say that there is no higher priority than fully funding IDEA.

Now, this is a long-term goal; but the first installment on that payment occurs right now. We promised \$2 billion this year in additional funding for special education. And by the end of the day, I suspect that this amendment fails, as others who are proposing the same that we keep our pledge, we will only increase funding by about half a billion dollars, a substantial amount, a good gesture, to be sure.

But the reality is that principals, superintendents, State legislators, and parents are asking us to fully fund the Individuals with Disabilities Education Act. It is the largest Federal mandate that every school administrator has to deal with. By our failure to fully fund these children who need our help and assistance and who have been promised three times and where we have been obligated by the Supreme Court, they are being left high and dry.

I would ask our colleagues to find it in their hearts to reach out and just fulfill the promises that we have made and support this amendment. It is one that I think is reasonable and modest. In fact, it does not go nearly far enough to fulfill the promises that we have made. But these are the children who need the dollars most, who have every right to an equal access to a quality education, and they are denied that because this government has foisted a mandate upon the States and upon the people in it, and it has refused to pay for its share of the cost.

This amendment moves us in that direction. I urge its adoption.

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

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, again, I understand why the gentleman from Colorado (Mr. SCHAFFER) wants to increase IDEA, as we did in the bill and we have in prior bills. I do not understand why he would want to cut a very, very successful program that the majority has strongly supported over the last 6 years and has become the centerpiece of our work on job training.

There are many young people who in their home neighborhoods generally have little or no hope of participation in the prosperity of this economy. They lack the opportunity to get work experience and get ahead.

Job Corps has taken young people out of such neighborhoods and put them into a situation where they can learn skills, get a work ethic, get an opportunity to get a job, get a job, hold a job, have a family, participate in the American dream.

To cut funding in this area seems to me to be very misguided. The young people that have been served by this program have done amazingly well. It is a program that we have consistently increased more than the President has included in his budgets. We increased funding because we believe there is a real chance for young people who otherwise are so much at risk to get an opportunity to get ahead in our society. I believe that it would be extremely unfortunate if this program were cut and this money were transferred.

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

Mr. SCHAFFER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, I reject the characterization of this amendment as one that cuts Job Corps. The reality is this amendment shifts the new funding in Job Corps that the program does not have today, essentially leaving the funding at the current level without any change. That is not a cut. That is an amendment that holds the program harmless.

Secondly, as to the value and the merit of the Job Corps program, let us keep in mind that, even with my amendment, we will still spend \$1.4 billion on the Job Corps program. And that is not to mention several other job-seeking types of programs that the Federal Government maintains.

I would love to offer for consideration of our colleagues and perhaps submit for the RECORD a report by Mark Wilson of the Job Corps program; and in it it finds that Job Corps is government's most expensive job-training program and continues to receive increases despite serious questions raised about the program by the U.S. General Accounting Office.

There are several other findings that Job Corps has a spotty record in. In some parts of the country, it seems to work well. In other spots, it is hemorrhaging cash without providing results.

All of that being put aside, Job Corps may be a persuasive priority for some. I merely maintain that the highest priority should be those children who are in classrooms today suffering from various disabilities that impair their ability to receive a first-rate, quality education.

The reason it becomes so challenging for these children is because this Congress has mandated rule after rule after rule and regulation and failed to put the cash forward. That is what this amendment accomplishes. I urge its adoption.

Mr. PORTER. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I would simply say that when we talk about the Job Corps, we are talking about young people who up to that moment in their lives are 100-percent failures and the Job Corps manages to salvage about 50 percent of those young people. That is a better batting average than Babe Ruth had.

I must say, I am amused by the fact that just 3 days ago we saw on the floor a chart by one of the Members of the majority side and that chart was used to brag about how much the Job Corps was being increased by the majority party; and now this amendment seeks, I guess, to rip up that chart. And I guess maybe those speeches on behalf of the Job Corps that were given on the other side would have to be ripped up, as well.

This just is not something we ought to do. It goes at people who have no hope without help, and I think we ought to turn the amendment down.

Mr. PORTER. Mr. Chairman, I would say, in closing, as the chairman of the authorizing committee just said to me, this is an expensive program. But the alternative is much, much more expensive both to the individual and to our society.

I believe in this program. I think it has made a difference in so many young people's lives in this country. It is the model, I believe, for overcoming poverty and gang neighborhoods and violence and getting young people an opportunity and a chance. And God knows what this country stands for is people getting an opportunity and a chance to reach their level of achievement. If we do not provide that opportunity, we are short changing the very things we believe most deeply in.

I oppose the amendment and urge Members to vote against it.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Colorado (Mr. SCHAFFER).

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

Mr. SCHAFFER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from Colorado (Mr. SCHAFFER) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 7 offered by the gentleman from New Hampshire (Mr. BASS), amendment No. 186 offered by the gentleman from Wisconsin (Mr. RYAN), amendment No. 2 offered by the gentleman from California (Mr. GARY MILLER), amendment No. 203 offered by the gentleman from Colorado (Mr. SCHAFFER), amendment No. 182 offered by the gentleman from Ohio (Mr. OXLEY), and amendment No. 205 offered by the gentleman from Colorado (Mr. SCHAFFER).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 7 OFFERED BY MR. BASS

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 7 offered by the gentleman from New Hampshire (Mr. BASS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 98, noes 319, not voting 17, as follows:

[Roll No. 259]

AYES—98

Aderholt	Hayes	Pryce (OH)
Barr	Hayworth	Ramstad
Bass	Hefley	Reynolds
Bereuter	Hilleary	Riley
Blunt	Hoekstra	Rivers
Boehner	Hostettler	Rogan
Brady (TX)	Hunter	Rohrabacher
Bryant	Inslee	Roukema
Burton	Jenkins	Ryan (WI)
Cannon	Johnson, Sam	Ryun (KS)
Chabot	Jones (NC)	Salmon
Chenoweth-Hage	Kasich	Sanford
Coble	Kelly	Schaffer
Coburn	Kolbe	Sensenbrenner
Cooksey	Kuykendall	Sessions
Crane	Largent	Shadegg
Cubin	Latham	Shimkus
DeLay	Maloney (CT)	Simpson
Dickey	Manzullo	Smith (MI)
Doolittle	McInnis	Stump
Dreier	McIntosh	Sununu
Duncan	Metcalf	Talent
Dunn	Miller (FL)	Tancredo
Ehlers	Miller, Gary	Taylor (MS)
Ehrlich	Moran (KS)	Terry
Fowler	Myrick	Thornberry
Frelinghuysen	Nethercutt	Tiahrt
Gibbons	Norwood	Toomey
Goode	Nussle	Vitter
Green (WI)	Oxley	Walden
Gutknecht	Paul	Wamp
Hansen	Pitts	Weldon (FL)
Hastings (WA)	Pombo	

NOES—319

Abercrombie	Baca	Ballenger
Ackerman	Bachus	Barcia
Allen	Baird	Barrett (NE)
Andrews	Baker	Barrett (WI)
Archer	Baldacci	Bartlett
Arney	Baldwin	Barton

Bateman	Hall (OH)	Obey
Becerra	Hall (TX)	Olver
Bentsen	Hastings (FL)	Ortiz
Berkley	Herger	Ose
Berman	Hill (IN)	Owens
Berry	Hill (MT)	Packard
Biggert	Hilliard	Pascarell
Bilbray	Hinchee	Pastor
Billirakis	Hinojosa	Payne
Bishop	Hobson	Pease
Blagojevich	Hoeffel	Pelosi
Bliley	Holden	Peterson (MN)
Blumenauer	Holt	Peterson (PA)
Boehlert	Hooley	Petri
Bonilla	Horn	Phelps
Bonior	Houghton	Pickering
Bono	Hoyer	Pickett
Borski	Hulshof	Pomeroy
Boswell	Hutchinson	Porter
Boucher	Hyde	Portman
Boyd	Isakson	Price (NC)
Brady (PA)	Istook	Quinn
Brown (FL)	Jackson (IL)	Radanovich
Brown (OH)	Jackson-Lee	Rahall
Burr	(TX)	Rangel
Buyer	Jefferson	Regula
Callahan	John	Reyes
Calvert	Johnson (CT)	Rodriguez
Camp	Johnson, E. B.	Roemer
Canady	Jones (OH)	Rogers
Capps	Kanjorski	Ros-Lehtinen
Capuano	Kaptur	Rothman
Cardin	Kennedy	Roybal-Allard
Carson	Kildee	Royce
Castle	Kilpatrick	Rush
Chambliss	Kind (WI)	Sabo
Clay	King (NY)	Sanchez
Clayton	Kingston	Sanders
Clement	Kleczka	Sandlin
Clyburn	Klink	Sawyer
Collins	Knollenberg	Saxton
Combest	Kucinich	Scarborough
Condit	LaFalce	Schakowsky
Conyers	LaHood	Scott
Costello	Lampson	Serrano
Coyne	Lantos	Shaw
Cramer	Larson	Shays
Crowley	LaTourette	Sherman
Cummings	Lazio	Sherwood
Cunningham	Leach	Shows
Davis (FL)	Lee	Shuster
Davis (IL)	Levin	Sisisky
Davis (VA)	Lewis (CA)	Skeen
Deal	Lewis (GA)	Skelton
DeFazio	Lewis (KY)	Slaughter
DeGette	Linder	Smith (NJ)
Delahunt	Lipinski	Smith (TX)
DeLauro	LoBiondo	Smith (WA)
Deutsch	Lofgren	Snyder
Diaz-Balart	Lowe	Souder
Dicks	Lucas (KY)	Spence
Dingell	Lucas (OK)	Spratt
Dixon	Luther	Stabenow
Doggett	Maloney (NY)	Stark
Dooley	Martinez	Stearns
Doyle	Mascara	Stenholm
Edwards	Matsui	Strickland
Emerson	McCarthy (MO)	Stupak
Engel	McCarthy (NY)	Sweeney
English	McCrery	Tanner
Eshoo	McDermott	Tauscher
Etheridge	McGovern	Tauzin
Evans	McHugh	Taylor (NC)
Everett	McIntyre	Thomas
Ewing	McKeon	Thompson (CA)
Farr	McKinney	Thompson (MS)
Fattah	McNulty	Thurman
Filner	Meehan	Tierney
Foley	Meek (FL)	Towns
Forbes	Meeks (NY)	Traficant
Ford	Menendez	Turner
Fossella	Mica	Udall (CO)
Frank (MA)	Millender-	Udall (NM)
Frost	McDonald	Upton
Gallely	Miller, George	Velazquez
Ganske	Minge	Visclosky
Gejdenson	Mink	Walsh
Gekas	Moakley	Waters
Gephardt	Mollohan	Watkins
Gilchrest	Moore	Watt (NC)
Gilman	Moran (VA)	Waxman
Gonzalez	Morella	Weiner
Goodling	Murtha	Weller
Goss	Nadler	Wexler
Graham	Napolitano	Weygand
Granger	Neal	Whitfield
Green (TX)	Ney	Wicker
Greenwood	Northup	Wilson
Gutierrez	Oberstar	Wise

Wolf	Wu	Young (AK)
Woolsey	Wynn	Young (FL)

NOT VOTING—17

Campbell	Franks (NJ)	Pallone
Cook	Gillmor	Thune
Cox	Goodlatte	Vento
Danner	Gordon	Watts (OK)
DeMint	Markey	Weldon (PA)
Fletcher	McCollum	

□ 1705

Messrs. HUTCHINSON, LUTHER, COLLINS, SCARBOROUGH, SPENCE, PETRI, EDWARDS and Mrs. BONO changed their vote from "aye" to "no." Messrs. ADERHOLT, STUMP, HUNTER, BURTON of Indiana, and DICKEY changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FLETCHER. Mr. Chairman, on rollcall No. 259 I was inadvertently detained. Had I been present, I would have voted "no".

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. PEASE). Pursuant to House Resolution 518, the Chair announces that it will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 186 OFFERED BY MR. RYAN OF WISCONSIN

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on Amendment No. 186 offered by the gentleman from Wisconsin (Mr. RYAN) on which further proceedings were postponed and on which the noes prevailed by voice vote. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 124, noes 293, not voting 17, as follows:

[Roll No. 260]

AYES—124

Aderholt	Coble	Herger
Archer	Coburn	Hill (MT)
Army	Collins	Hilleary
Baker	Combest	Hoekstra
Ballenger	Crane	Horn
Barr	Cubin	Hostettler
Bartlett	DeLay	Hulshof
Barton	Doolittle	Hunter
Bass	Dreier	Istook
Bereuter	Duncan	Jenkins
Blunt	Ehrlich	Johnson, Sam
Boehner	Everett	Jones (NC)
Bono	Ewing	Kasich
Brady (TX)	Ganske	Kelly
Burr	Gibbons	Kuykendall
Burton	Goode	Largent
Buyer	Goodling	Latham
Canady	Graham	Leach
Cannon	Hansen	Maloney (CT)
Chabot	Hastings (WA)	Manzullo
Chambliss	Hayworth	McHugh
Chenoweth-Hage	Hefley	McInnis

McIntosh	Riley	Stump
Metcalf	Rivers	Sununu
Mica	Rohrabacher	Sweeney
Miller (FL)	Royce	Talent
Miller, Gary	Ryan (WI)	Tancredo
Moore	Ryun (KS)	Tauzin
Moran (KS)	Salmon	Taylor (MS)
Myrick	Sanford	Taylor (NC)
Nethercutt	Scarborough	Terry
Norwood	Schaffer	Thornberry
Nussle	Sensenbrenner	Tiahrt
Oxley	Sessions	Toomey
Paul	Shadegg	Upton
Pease	Shaw	Vitter
Petri	Shimkus	Walden
Pickering	Simpson	Wamp
Pitts	Smith (MI)	Watkins
Portman	Smith (TX)	Weldon (FL)
Radanovich	Souder	
Ramstad	Stearns	

NOES—293

Abercrombie	Emerson
Ackerman	Engel
Allen	English
Andrews	Eshoo
Baca	Etheridge
Bachus	Evans
Baird	Farr
Baldacci	Fattah
Baldwin	Filner
Barcia	Fletcher
Barrett (NE)	Foley
Barrett (WI)	Forbes
Bateman	Ford
Becerra	Fossella
Bentsen	Fowler
Berkley	Frank (MA)
Berman	Frelinghuysen
Berry	Frost
Biggett	Gallegly
Bilbray	Gejdenson
Bilirakis	Gephardt
Bishop	Gilchrist
Blagojevich	Gilman
Bliley	Gonzalez
Blumenauer	Goss
Boehler	Granger
Bonilla	Green (TX)
Bonior	Green (WI)
Borski	Greenwood
Boswell	Gutierrez
Boucher	Gutknecht
Boyd	Hall (OH)
Brady (PA)	Hall (TX)
Brown (FL)	Hastings (FL)
Brown (OH)	Hayes
Bryant	Hill (IN)
Callahan	Hilliard
Calvert	Hinchee
Camp	Hinojosa
Capps	Hobson
Capuano	Hoeffel
Cardin	Holden
Carson	Holt
Castle	Hooley
Clay	Houghton
Clayton	Hoyer
Clement	Hutchinson
Clyburn	Hyde
Condit	Inslee
Conyers	Isakson
Cooksey	Jackson (IL)
Costello	Jackson-Lee
Coyne	(TX)
Cramer	Jefferson
Crowley	Johnson (CT)
Cummings	Johnson, E. B.
Cunningham	Jones (OH)
Davis (FL)	Kanjorski
Davis (IL)	Kaptur
Davis (VA)	Kennedy
Deal	Kildee
DeFazio	Kilpatrick
DeGette	Kind (WI)
Delahunt	King (NY)
DeLauro	Kingston
Deutsch	Kleczka
Diaz-Balart	Klink
Dick	Knollenberg
Dicks	Kolbe
Dingell	Kucinich
Dixon	LaFalce
Doggett	LaHood
Dooley	Lampson
Doyle	Lantos
Dunn	Larson
Edwards	LaTourette
Ehlers	Lazio

Lee	Levin
Lewis (CA)	Lewis (GA)
Lewis (KY)	Linder
Lipinski	LoBiondo
Lofgren	Lowey
Lucas (KY)	Lucas (OK)
Luther	Maloney (NY)
Martinez	Mascara
Matsui	McCarthy (MO)
Frost	McCarthy (NY)
McCrery	McDermott
McGovern	McIntyre
McKeon	McKinney
Goss	McNulty
Meehan	Meek (FL)
Meeks (NY)	Menendez
Miller	Miller, George
Minge	Mink
Moakley	Mollohan
Moran (VA)	Morella
Murtha	Nadler
Napolitano	Neal
Ney	Northrup
Oberstar	Obey
Ortiz	Ose
Owens	Packard
Pascrell	Pastor
Pelosi	Peterson (MN)
Peterson (PA)	Phelps
Pickett	Pombo
Porter	Price (NC)
Pryce (OH)	Quinn
Rahall	Rangel
Regula	Reyes
Reynolds	Rodriguez
Roemer	Rogan
Rogers	Ros-Lehtinen
Rothman	

Roukema	Smith (WA)	Velazquez
Roybal-Allard	Snyder	Viscosky
Rush	Spence	Walsh
Sabo	Spratt	Waters
Sanchez	Stabenow	Watt (NC)
Sanders	Stark	Waxman
Sandlin	Stenholm	Weiner
Sawyer	Strickland	Weller
Saxton	Stupak	Wexler
Schakowsky	Tanner	Weygand
Scott	Tauscher	Whitfield
Serrano	Thomas	Wicker
Shays	Thompson (CA)	Wilson
Sherman	Thompson (MS)	Wise
Sherwood	Thune	Wolf
Shows	Thurman	Woolsey
Shuster	Tierney	Wu
Sisisky	Towns	Wynn
Skeen	Traficant	Young (AK)
Skelton	Turner	Young (FL)
Slaughter	Udall (CO)	
Smith (NJ)	Udall (NM)	

NOT VOTING—17

Campbell	Gekas	McCollum
Cook	Gillmor	Pallone
Cox	Goodlatte	Vento
Danner	Gordon	Watts (OK)
DeMint	John	Weldon (PA)
Franks (NJ)	Markey	

□ 1714

Mr. SPENCE changed his vote from "aye" to "no."

Mr. ROYCE and Mr. HULSHOF changed their vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1715

AMENDMENT NO. 2 OFFERED BY MR. GARY MILLER OF CALIFORNIA

The CHAIRMAN pro tempore (Mr. PEASE). The pending business is the demand for a recorded vote on Amendment No. 2 offered by the gentleman from California (Mr. GARY MILLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 150, noes 267, not voting 17, as follows:

[Roll No. 261]

AYES—150

Aderholt	Canady	Fossella
Archer	Cannon	Ganske
Army	Chabot	Gibbons
Baker	Chambliss	Goode
Ballenger	Chenoweth-Hage	Graham
Barcia	Coble	Green (WI)
Barr	Coburn	Gutknecht
Bartlett	Collins	Hall (TX)
Barton	Combest	Hansen
Bass	Crane	Hastings (WA)
Bilirakis	Cubin	Hayworth
Blunt	DeLay	Hefley
Boehner	Diaz-Balart	Herger
Bono	Doolittle	Hill (MT)
Brady (TX)	Dreier	Hilleary
Burr	Duncan	Hoekstra
Burton	Dunn	Hostettler
Buyer	Ehrlich	Hulshof
Calvert	Everett	Inslee
Camp	Foley	Istook

Jenkins	Pastor	Shays	Rangel	Sisisky	Turner	Pitts	Scarborough	Tancredo
Johnson (CT)	Paul	Shimkus	Regula	Skeen	Udall (CO)	Pombo	Schaffer	Tauzin
Johnson, Sam	Pease	Simpson	Reyes	Skelton	Velazquez	Portman	Sensenbrenner	Taylor (MS)
Jones (NC)	Petri	Smith (MI)	Rodriguez	Slaughter	Visclosky	Quinn	Sessions	Taylor (NC)
Kasich	Pickering	Smith (TX)	Rogers	Walsh	Walters	Radanovich	Shadegg	Terry
Kelly	Pitts	Souder	Rothman	Smith (WA)	Watt (NC)	Ramstad	Shaw	Thornberry
Kingston	Pombo	Spence	Roybal-Allard	Snyder	Waxman	Reynolds	Shimkus	Thune
Kuykendall	Portman	Stearns	Rush	Spratt	Weiner	Riley	Smith (TX)	Tiahrt
Largent	Quinn	Stump	Sabo	Stabenow	Weller	Rohrabacher	Smith (WA)	Toomey
Latham	Radanovich	Sununu	Sanchez	Stark	Wexler	Roukema	Souder	Turner
Leach	Ramstad	Sweeney	Sanders	Stenholm	Weygand	Royce	Spence	Upton
Lewis (KY)	Reynolds	Talent	Sandlin	Strickland	Whitfield	Ryan (WI)	Stearns	Vitter
Linder	Riley	Tancredo	Sawyer	Stupak	Wicker	Ryun (KS)	Sununu	Walden
Lucas (OK)	Rivers	Tauzin	Saxton	Tanner	Wise	Salmon	Sweeney	Wamp
Maloney (CT)	Roemer	Terry	Schakowsky	Tauscher	Wolf	Sanford	Talent	Weldon (FL)
Manzullo	Rogan	Thomas	Scott	Taylor (MS)	Woolsey			
McCrery	Rohrabacher	Thornberry	Serrano	Taylor (NC)	Wu			
McHugh	Ros-Lehtinen	Thune	Shaw	Thompson (CA)	Wynn	Abercrombie	Everett	Mascara
McInnis	Roukema	Tiahrt	Sherman	Thompson (MS)	Young (AK)	Ackerman	Ewing	Matsui
McIntosh	Royce	Tierney	Sherwood	Thurman	Young (FL)	Allen	Farr	McCarthy (MO)
Metcalf	Ryan (WI)	Toomey	Shows	Towns		Andrews	Fattah	McCarthy (NY)
Mica	Ryun (KS)	Udall (NM)	Shuster	Traficant		Baca	Filner	McDermott
Miller (FL)	Salmon	Upton				Baird	Fletcher	McIntyre
Miller, Gary	Sanford	Vitter				Baldacci	Foley	McKeon
Moore	Scarborough	Walden	Campbell	Gillmor	Pallone	Baldwin	Forbes	McKinney
Myrick	Schaffer	Wamp	Cook	Goodlatte	Peterson (MN)	Ballenger	Ford	McNulty
Norwood	Sensenbrenner	Watkins	Cox	Gordon	Vento	Barcia	Frank (MA)	McNulty
Nussle	Sessions	Weldon (FL)	Danner	Markey	Watts (OK)	Barrett (NE)	Frelinghuysen	Meehan
Oxley	Shadegg	Wilson	DeMint	McCollum	Weldon (PA)	Barrett (WI)	Frost	Meek (FL)
			Franks (NJ)	Obey		Barton	Gallegly	Meeks (NY)
						Bateman	Ganske	Menendez
						Becerra	Gejdenson	Millender-
						Bentsen	Gephardt	McDonald
						Bereuter	Gilchrest	Miller, George
						Berkley	Gilman	Minge
						Berman	Gonzalez	Mink
						Berry	Goode	Moakley
						Biggert	Goodling	Mollohan
						Bilbray	Granger	Moore
						Billirakis	Greenwood	Moran (VA)
						Bishop	Gutierrez	Moran (VA)
						Blagojevich	Hall (OH)	Morella
						Bliley	Hall (TX)	Murtha
						Blumenauer	Hansen	Nadler
						Boehlert	Hastings (FL)	Napolitano
						Bonilla	Hayes	Neal
						Bonior	Hill (IN)	Ney
						Borski	Hilliard	Northup
						Boswell	Hinchev	Oberstar
						Boucher	Hinojosa	Obey
						Boyd	Hobson	Olver
						Brady (PA)	Hoeffel	Ortiz
						Brown (FL)	Holden	Ose
						Brown (OH)	Holt	Owens
						Bryant	Hoolley	Packard
						Callahan	Houghton	Pascrell
						Calvert	Hoyer	Pastor
						Canady	Hutchinson	Payne
						Capps	Hyde	Pease
						Capuano	Isakson	Pelosi
						Cardin	Istook	Peterson (MN)
						Carson	Jackson (IL)	Peterson (PA)
						Castle	Jackson-Lee	Petri
						Chambliss	(TX)	Phelps
						Clay	Jefferson	Pickett
						Clayton	John (CT)	Pomeroy
						Clement	Johnson, E. B.	Porter
						Clyburn	Jones (OH)	Price (NC)
						Condit	Kanjorski	Pryce (OH)
						Conyers	Kaptur	Rahall
						Cooksey	Kennedy	Rangel
						Costello	Kildee	Regula
						Coyne	Kilpatrick	Reyes
						Cramer	Kind (WI)	Rivers
						Crowley	King (NY)	Rodriguez
						Cubin	Klecza	Roemer
						Cummings	Klink	Rogan
						Davis (FL)	Knollenberg	Rogers
						Davis (IL)	Kolbe	Ros-Lehtinen
						Deal	Kucinich	Rothman
						DeFazio	LaFalce	Roybal-Allard
						DeGette	Lampson	Rush
						Delahunt	Lantos	Sabo
						DeLauro	Larson	Sanchez
						Deutsch	LaTourette	Sanders
						Diaz-Balart	Lazio	Sandlin
						Dicks	Lee	Sawyer
						Dingell	Levin	Saxton
						Dixon	Lewis (CA)	Schakowsky
						Doggett	Lewis (GA)	Scott
						Dooley	Linder	Serrano
						Doyle	Lipinski	Shays
						Ehlers	LoBiondo	Sherman
						Engel	Lofgren	Sherwood
						English	Lowey	Shows
						Eshoo	Lucas (KY)	Shuster
						Etheridge	Maloney (NY)	Simpson
						Evans	Martinez	Sisisky
								Skeen
								Skelton

NOES—287

NOT VOTING—17

□ 1722

Mr. MOORE of Kansas changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 203 OFFERED BY MR. SCHAFFER

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on Amendment No. 203 offered by the gentleman from Colorado (Mr. SCHAFFER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 132, noes 287, not voting 15, as follows:

[Roll No 262]

AYES—132

Aderholt	Duncan	Kasich
Archer	Dunn	Kelly
Armey	Edwards	Kingston
Bachus	Ehrlich	Kuykendall
Baker	Emerson	LaHood
Barr	Fossella	Largent
Bartlett	Fowler	Latham
Bass	Gekas	Leach
Blunt	Gibbons	Lewis (KY)
Boehner	Goss	Lucas (OK)
Bono	Graham	Luther
Brady (TX)	Green (TX)	Maloney (CT)
Burton	Green (WI)	Manzullo
Buyer	Gutknecht	McCrery
Camp	Hastings (WA)	McHugh
Cannon	Hayworth	McInnis
Chabot	Hefley	McIntosh
Chenoweth-Hage	Henger	Metcalf
Coble	Hill (MT)	Mica
Coburn	Hilleary	Miller (FL)
Collins	Hoekstra	Miller, Gary
Combest	Horn	Moran (KS)
Crane	Hostettler	Myrick
Cunningham	Hulshof	Nethercutt
Davis (VA)	Hunter	Norwood
DeLay	Inslee	Nussle
Dickey	Jenkins	Oxley
Doolittle	Johnson, Sam	Paul
Dreier	Jones (NC)	Pickering

Slaughter
Smith (MI)
Smith (NJ)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stump
Stupak
Tanner
Tauscher
Thomas
Thompson (CA)

NOT VOTING—15

Campbell
Cook
Cox
Danner
DeMint

□ 1729

Mr. MCHUGH changed his vote from "no" to "aye."

The amendment was rejected.

The result of the vote was announced as above recorded:

AMENDMENT NO. 182 OFFERED BY MR. OXLEY

The CHAIRMAN pro tempore (Mr. PEASE). The pending business is the demand for a recorded vote on amendment No. 182 offered by the gentleman from Ohio (Mr. OXLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 110, noes 305, not voting 19, as follows:

[Roll No. 263]

AYES—110

Aderholt
Archer
Armey
Bachus
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bilirakis
Bliley
Boehner
Bonior
Brady (TX)
Bryant
Burr
Burton
Buyer
Camp
Canady
Cannon
Chabot
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Crane
Cubin
Cunningham
DeLay
Dickey
Doolittle
Dreier
Duncan

Thompson (MS)
Thurman
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weiner

Franks (NJ)
Gillmor
Goodlatte
Gordon
Markey

Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

McCollum
Pallone
Vento
Watts (OK)
Weldon (PA)

Terry
Thornberry

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggett
Bilbray
Bishop
Blagojevich
Blumenauer
Blunt
Boehler
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Callahan
Calvert
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson

NOES—305

Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodling
Granger
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hill (IN)
Hilliard
Hinche
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hutchinson
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalfe
Millender
McDonald
Miller, George
Minge
Mink

Toomey
Upton

Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Northrup
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sherwood
Shows
Simpson
Sisisky
Skeean
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)

Wamp
Weldon (FL)

NOT VOTING—19

Campbell
Cook
Cox
Danner
DeMint
Ewing
Franks (NJ)

Velazquez
Visclosky
Vitter
Walden
Walsh
Waters
Watkins
Watt (NC)

NOT VOTING—19

Gillmor
Goodlatte
Gordon
Kanjorski
Kasich
Markey
McCollum

□ 1736

The amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 205 OFFERED BY MR. SCHAFFER

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 205 offered by the gentleman from Colorado (Mr. SCHAFFER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 103, noes 315, not voting 16, as follows:

[Roll No. 264]

AYES—103

Aderholt
Archer
Armey
Baird
Barr
Bartlett
Barton
Bass
Bereuter
Blunt
Boehner
Bono
Brady (TX)
Bryant
Burr
Burton
Camp
Cannon
Chabot
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Crane
Cubin
Cunningham
Deal
DeLay
Dickey
Doolittle
Dreier
Duncan
Dunn
Everett

NOES—315

Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Bentsen

Pitts
Pombo
Portman
Radanovich
Ramstad
Riley
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (MI)
Smith (TX)
Spence
Stump
Sununu
Tancredo
Taylor (NC)
Thornberry
Tiahrt
Toomey
Vitter
Wamp
Weldon (FL)
Weller

Bliley
Blumenauer
Boehler
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Buyer
Callahan
Calvert
Canady
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Forbes
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallagher
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodling
Granger
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley

Horn
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender
McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Northup
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pascrell
Pastor

Payne
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sherwood
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stupak
Sweeney
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—16

Campbell
Cook
Cox
Danner
DeMint
Ford
Franks (NJ)
Gillmor
Goodlatte
Gordon
Markey
McCollum
Pallone
Vento
Watts (OK)
Weldon (PA)

□ 1744

Mr. PICKERING and Mr. SHAYS changed their vote from "aye" to "no."

□ 1745

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. PEASE). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. KAPTUR:
Page 84, after line 21, insert the following:
SEC. 518. (a) Chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) is amended by adding at the end the following:

"Subchapter E—Normal Trade Relations For China Transitional Adjustment Assistance Program

"SEC. 250A. ESTABLISHMENT OF TRANSITIONAL PROGRAM.

"(a) GROUP ELIGIBILITY REQUIREMENTS.—
"(1) CRITERIA.—A group of workers (including workers in any agricultural firm or subdivision of an agricultural firm) shall be certified as eligible to apply for adjustment assistance under this subchapter pursuant to a petition filed under subsection (b) if the Secretary determines that a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated, and either—

"(A) that—
"(i) the sales or production, or both, of such firm or subdivision have decreased absolutely,

"(ii) imports from the People's Republic of China of articles like or directly competitive with articles produced by such firm or subdivision have increased by reason of the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of China, and

"(iii) the increase in imports under clause (ii) contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm or subdivision; or

"(B) that there has been a shift in production by such workers' firm or subdivision to the People's Republic of China of articles like or directly competitive with articles which are produced by the firm or subdivision by reason of the extension of non-discriminatory treatment (normal trade relations treatment) to the products of China.

"(2) DEFINITION OF CONTRIBUTED IMPORTANTLY.—The term 'contributed importantly', as used in paragraph (1)(A)(iii), means a cause which is important but not necessarily more important than any other cause.

"(3) REGULATIONS.—The Secretary shall issue regulations relating to the application of the criteria described in paragraph (1) in making preliminary findings under subsection (b) and determinations under subsection (c).

"(b) ADDITIONAL REQUIREMENTS.—The provisions of subsections (b) through (e) of sec-

tion 250 shall apply to the administration of the program under this subchapter in the same manner and to the same extent as such provisions apply to the administration of the program under subchapter D."

(b) CONFORMING AMENDMENT.—The table of contents of the Trade Act of 1974 (19 U.S.C. 2101) is amended by inserting after the item relating to section 250 the following:

"SUBCHAPTER E—NORMAL TRADE RELATIONS FOR CHINA TRANSITIONAL ADJUSTMENT ASSISTANCE PROGRAM
"Sec. 250A. Establishment of transitional program."

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentlewoman from Ohio (Ms. KAPTUR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR).

Mr. PORTER. Mr. Chairman, I reserve a point of order on the amendment of the gentlewoman from Ohio (Ms. KAPTUR).

The CHAIRMAN pro tempore. The gentleman from Illinois reserves a point of order.

PARLIAMENTARY INQUIRY

Ms. KAPTUR. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN pro tempore. The gentlewoman from Ohio will state her parliamentary inquiry.

Ms. KAPTUR. Mr. Chairman, as I understand the point of order, if at the end of our brief period of discussion the point of order is called, then that means our amendment cannot be offered; is that correct, will not be voted on?

The CHAIRMAN pro tempore. If the point of order has been reserved, the gentlewoman can proceed with her 5 minutes. If the gentleman insists on his point of order, at that time the Chair will make a ruling on whether the point of order is well taken.

Ms. KAPTUR. Just so I understand it, if the point of order is upheld, then our amendment could not be offered; is that correct?

The CHAIRMAN pro tempore. The gentlewoman is correct.

Ms. KAPTUR. I just wanted to make that very clear in the beginning.

The CHAIRMAN pro tempore. The gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, just a few days ago on May 24, this House voted to extend permanent normal trade relations to the People's Republic of China without restriction. Yet based on projections by our own government, the U.S. International Trade Commission, the approval of that agreement threatens to eliminate more than 870,000 jobs in this country, predominantly in the manufacturing area.

They estimate over 742,000 jobs will be lost to China. In my own State of Ohio, over 34,500 jobs are projected to be lost. America has an obligation to assist working people and their families who will suffer from the devastating consequences of job loss due to this deal with China.

What this amendment does is it would help meet our obligations by establishing the China PNTR transitional adjustment assistance program, or China TAA, modeled after the trade adjustment assistance that locked into place when NAFTA was passed.

We have all seen how important that program has been with the hundreds of thousands of jobs that have been moved to Mexico.

Under our proposal, workers could petition for critical reemployment services such as job training, job search, training for important employment in other jobs or careers, and certainly in many cases direct income support.

The very least this Congress should do, and I cannot understand why it was omitted from the base bill that came out of the Committee on Ways and Means, we ought to respond to the basic needs of people who want to work when their jobs disappear. If advocates for PNTR truly believe that America's workers will only benefit from PNTR for China, then they have nothing to fear from this amendment.

We should have a vote on this amendment. However, it is my understanding that this amendment may be struck by a point of order; and therefore, I want to ask my colleagues to join me in establishing a formal China TAA assistance program in a bill that I will drop into the hopper right after this debate today. And I urge Members to join me, along with a growing list of original cosponsors, in making a stand for the workers of this country by cosponsoring this important bill and supporting this amendment.

Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL), who has been such a strong voice for working Americans from coast to coast.

Mr. PASCRELL. Mr. Chairman, I thank the gentlewoman from Ohio (Ms. KAPTUR) for yielding me this time.

Congress has made its bed and now we want some accountability as we begin to sleep with the enemy. I rise today to voice my strong support, Mr. Chairman, for the amendment offered by my friend, the gentlewoman from Ohio (Ms. KAPTUR).

When the House passed PNTR, American job loss was an issue that was merely pushed aside by those who voted for business as usual and for business interests in the low-wage Chinese workforce. Now workers are coming to me and asking what we will do in the aftermath.

With this amendment, we have an answer for those who will lose their jobs. The administration admits there will be a loss, net loss of 872,000 jobs, in America. Twenty-two thousand of those jobs will be in New Jersey. We have no program set up in that interim period when those people lose their jobs.

What are we going to tell these workers, that they have lost their job to the low-production jobs in China? That is

no answer. We need to train people to move on to other jobs.

I ask that we support this amendment, Mr. Chairman.

Ms. KAPTUR. Mr. Chairman, I reserve the balance of our time.

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) claim the time in opposition?

Mr. PORTER. I do not claim the time in opposition. I would reserve my point of order and ask if the gentlewoman would like to make a summation.

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to a very distinguished colleague, the gentleman from Lorain, Ohio (Mr. BROWN), who has worked with us so much on this issue and whose district has suffered directly from job losses to both Mexico and China.

Mr. BROWN of Ohio. Mr. Chairman, I thank the gentlewoman from Ohio (Ms. KAPTUR) for yielding me this time, and also thank her for her amendment on the Trade Adjustment Act, monies in support for the China PNTR bill.

Everyone knows that our trade deficit, \$70 billion and counting, with China will grow after the passage of PNTR. Ten years ago, it was \$100 million. Three years ago, it passed \$40 billion. Today it is \$70 billion. We know it will continue to grow. Everyone also knows that the China PNTR vote will cost American jobs. It is only right when we see a plant close, we see a Huffy Bicycle plant close, jobs move to China. Phillips TV job plant closes in Ohio, jobs move to Mexico; one after another after another.

We know we must do something for those workers. Passing these trade bills, this Congress has done. It passed NAFTA in a close vote. It passed PNTR in a close vote. At least with NAFTA we had some trade adjustment assistance. We should do the same thing with PNTR.

This amendment makes great sense, the amendment of the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentleman from Ohio (Mr. BROWN) for coming to the floor, and the gentleman from New Jersey (Mr. PASCRELL), and I would say that I have a sinking feeling that the Republican leadership of this House is about to call a point of order against our amendment and not permit us to pass a program to help American workers who are going to lose their jobs to China.

I think that is unconscionable. I have the greatest respect for the gentleman who chairs this particular subcommittee, but I know that the leadership of his party approached me prior to this vote and asked if I was really going to offer that amendment. I said, yes, we are.

I would ask the American people to know what is about to happen here. We need to help America's workers who are going to lose their jobs to China.

POINT OF ORDER

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) insist on his point of order?

Mr. PORTER. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part, an amendment to a general appropriation bill shall not be in order if changing existing law.

The amendment directly amends existing law, and I would ask for a ruling from the Chair.

PARLIAMENTARY INQUIRY

Ms. KAPTUR. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN pro tempore. The gentlewoman will state her parliamentary inquiry.

Ms. KAPTUR. Mr. Chairman, the net effect of that then is not to allow our amendment to assist America's workers who will be displaced because their jobs move to China from being able to have a vote on this today; is that correct?

The CHAIRMAN pro tempore. The Chair is prepared to rule. The effect of the Chair's ruling will be, if the Chair sustains the point of order, that the amendment will not be considered at this time.

Does the gentlewoman wish to be heard on the point of order?

Ms. KAPTUR. Mr. Chairman, is the Chair saying that it is going to rule on that now?

The CHAIRMAN pro tempore. Yes.

Ms. KAPTUR. I would like to hear the ruling of the Chair.

The CHAIRMAN pro tempore. The amendment offered by the gentlewoman from Ohio (Ms. KAPTUR) directly amends existing law. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

AMENDMENT NO. 196 OFFERED BY MR. BOEHNER

Mr. BOEHNER. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 196 offered by Mr. BOEHNER:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act may be used for any program under part B of title IX of the Elementary and Secondary Education Act of 1965.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Ohio (Mr. BOEHNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today and offer an amendment to protect the interests of taxpayers, as well as thousands of native students in the State of Hawaii.

Like all States, Hawaii currently receives funds under the Elementary and Secondary Education Act for struggling schools and students, but unlike other States Hawaii also receives an additional \$20 million each year in addition to its allocation for the native Hawaiian education programs.

The name is misleading, I think, to say the least. The recipients of these funds are not Hawaii's native students but much of this money goes to an entity known as the Bishop Estate Trust.

It was created over a century ago to carry out the legacy of a beloved Hawaiian princess who died in 1884 and left her fortune for the education of Hawaii's native children. That was a noble mission. Unfortunately, the princess would not recognize the Bishop Trust if she were alive to see it today.

The Bishop Estate is now the richest charitable trust in the United States and the largest landowner in Hawaii. The Bishop Estate's holdings include a pair of Hawaiian resort hotels, the Royal Hawaiian Shopping Center, several assets in Las Vegas, two of the largest shopping centers in Wisconsin, large expanses of timberland in Michigan and, until last year, owned 5 percent of Goldman Sachs.

In 1999, its annual revenues were \$460 million, with assets that totaled an estimated \$10 billion. Incredibly, this vast empire spends only a tiny share of its resources on its purpose, its only mission as given by the princess, to educate native Hawaiian children. Last year, it spent just \$100 million for that purpose.

As the program 60 Minutes reported this spring, and I will quote, "What was supposed to be a tax-exempt charitable trust devoted to education was behaving very much like an international conglomerate. While it was raking in hundreds of millions of dollars every year, the Bishop Estate was spending less than half of that on the school and serving just 6 percent of eligible children in Hawaii," end quote.

□ 1800

Until recently, the estate's trustees received compensation of nearly \$1 million per year. In recent years, the estate has been rocked by everything from an IRS investigation of its tax exempt status to reported accusations of theft, kickbacks, and other crimes.

Yet the Federal Government is subsidizing this empire to the tune of more than \$20 million per year. Let me remind my colleagues their only mission with this \$10 billion trust is to educate Hawaii's native children.

Mr. Chairman, one does not have to be from Hawaii to wonder why a \$10 billion private trust needs another \$20 million subsidy from American taxpayers. One does not have to be from Hawaii to wonder why the Bishop Estate is spending only a fraction of its

resources on the education of Hawaii's native students.

As long as the taxpayers continue to provide this \$20 billion subsidy, the estate will never reform itself. The longer Washington continues to provide the subsidy, the longer Hawaiian students, Native Hawaiians students, will have to wait for the Bishop Trust to stop skimping on their future.

In 1995, President Clinton proposed in his budget to eliminate these programs. Vice-President Gore called for the elimination of these programs as part of his reinventing-government initiative. Last October, the House repealed the authorization for this expenditure overwhelmingly.

My amendment will allow us to keep this bipartisan commitment. Instead of pouring another \$20 million into the account of this \$10 billion private trust, the \$20 million could be used to help all of America's children.

The longer we wait to take the step, the longer the Bishop Estate will continue to shortchange the native children of Hawaii. For the sake of taxpayers and Hawaii's children, I urge the adoption of this amendment.

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

The CHAIRMAN pro tempore (Mr. PEASE). Does the gentlewoman from Hawaii (Mrs. MINK) claim the time in opposition.

Mrs. MINK of Hawaii. Mr. Chairman, I rise to claim the 5 minutes assigned to the side in opposition.

The CHAIRMAN pro tempore. The gentlewoman from Hawaii (Mrs. MINK) is recognized 5 minutes.

Mrs. MINK of Hawaii. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, I listened very carefully to the words of the gentleman from Ohio (Mr. BOEHNER). He made his whole case on the fact that his belief, an assumption, the Bishop Estate, who is the enemy as far as he is concerned, is being identified as the recipient of 20-plus million dollars under this appropriation act.

Nothing could be further from the truth. There is absolutely nothing in the ESEA appropriations or authorization bill or whatever that lays any assignment of the money to the Bishop Estate or the Kamehameha schools. If we are talking about the bill that came out of the full committee, the gentleman from Pennsylvania (Chairman GOODLING), in offering the native Hawaiian reauthorization, there is absolutely nothing in this legislation either that identifies one penny to the Bishop Estate. In fact, the money goes to many nonprofit organizations, the University of Hawaii, other public entities.

To assume responsibility for the education of these children who are the most deprived children in the State of Hawaii, perhaps they could be taken care of under title I or other appropriations, but this unique legislation comes forth and has been enacted by the Congress because the Congress has recognized this certain responsibility that

the Federal Government has to these native children.

We passed in 1996 an apology resolution for the Federal Government going into Hawaii, overriding the monarchy at that time, taking millions of acres of land, and appropriating it to its own use.

In order to rectify that injustice, in 1920, the Congress said we are terribly sorry about what happened in 1893. We are going to give back some of these lands to the native Hawaiian peoples. We returned land, but we did not appropriate one single dime so that the native Hawaiian people could go on these lands.

So gradually, as we looked at this deplorable situation, recognizing the moral responsibility that the Federal Government had to these children, we began to put together special legislation to take care of the most impoverished, most deserving needy children in the midst of our State.

The reason why they are in such a desperate situation is because, when the lands were returned to Hawaii, they were in the remotest part of the territory where nobody lived, where there were no jobs, no educational opportunities. So the lands were given to them, and the children were really relegated to a permanency of poverty.

Congress has now said in its wisdom we want to make right this situation, and we are going to provide special funds to these native Hawaiians. They are no different than Native Americans. No one would repeal the Native American Act.

Mr. BOEHNER. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore. The gentleman from Ohio (Mr. BOEHNER) has 1 minute remaining. The gentlewoman from Hawaii (Mrs. MINK) has 2½ minutes remaining.

Mr. BOEHNER. Mr. Chairman, I reserve the balance of my time.

PARLIAMENTARY INQUIRY

Mr. OBEY. Parliamentary inquiry, Mr. Chairman. Who has the right to close?

The CHAIRMAN pro tempore. The gentleman from Ohio (Mr. BOEHNER) has the right to close. The gentleman from Ohio is the proponent of the amendment, and no manager controls the time in opposition.

Mrs. MINK of Hawaii. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from Hawaii (Mr. ABERCROMBIE).

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

Mr. ABERCROMBIE. Mr. Chairman, the gentleman from Florida (Mr. YOUNG), the gentleman from Wisconsin (Mr. OBEY), the gentleman from Pennsylvania (Mr. GOODLING), the gentleman from Illinois (Mr. PORTER), all the members of the committees that have looked at this issue have decided that justice and equity resides with this appropriation.

The gentleman from Ohio (Mr. BOEHNER) has been at odds with the

trustees of the Bishop Estate for some 6 years now. Those trustees are no longer in place. The argument that he has had with the Bishop Estate no longer applies. Not one single penny, as he well knows, goes to the Bishop Estate.

Why the gentleman from Ohio has this obsession to come to Hawaii, why he has the time to leave his district in Ohio and try to come to the floor of this House to act on behalf of Hawaiian children, I do not know. But I do know that his characterization to my colleagues is something that I take great offense at, because not one penny for these children is going to either those trustees or into that estate.

The people who are handling the funds that my colleagues have put forward in this bill are the University of Hawaii at Hilo, the Leeward Community College, the Maui Community College, the Kauai Community College, the Hawaii Community College, and four Hawaiian nonprofit organizations, none of whom have anything to do with the Bishop Estate.

Now, if my colleagues want to make this into a Republican versus Democratic issue, I most emphatically plead with them, do not do this. This is an educational issue that everyone in every district here can relate to on the basis of what is good for the children of one's district.

This is not a partisan issue unless the gentleman from Ohio (Mr. BOEHNER) is able to make it that and unless he is able to convince my colleagues against the evidence that this has something to do with the estate with which he has had an argument in the past.

Every issue raised by the gentleman from Ohio (Mr. BOEHNER) with respect to the estate has been addressed. Every single issue now is moot.

So I plead with all the Members, Democrat or Republican here, to trust the judgment in this instance of Democrats and Republicans alike, leaders on both sides, and a plea from me and the gentlewoman from Hawaii (Mrs. MINK) that my colleagues allow us, as we do for any Member in this House, to trust us as we trust them to address the particular circumstances in their districts that require congressional attention.

I ask the gentleman from Ohio (Mr. BOEHNER) not to make this an issue that would divide this House along partisan lines and to recognize that his arguments have been met, his arguments have been addressed.

NATIVE HAWAIIAN EDUCATION ASSESSMENT PROJECT
Kamehameha Schools assists with the development of the needs assessment and targets programming to these needs. From the 1999 report, the most severe needs continue to be school readiness, basic skills, high school completion, and college enrollment and completion. Efforts to address these needs must begin with the very young, and it must integrate the language, culture, and values of the Native Hawaiian people.

STATUS OF KAMEHAMEHA SCHOOLS

In May 1999, the courts appointed a new Board of Trustees for the Bishop Estate. The

interim trustees have moved swiftly to approve new policies and initiatives which have already changed the direction of Kam Schools in very constructive ways. The Board has held many town meetings to undertake strategic planning with all stakeholders.

The direction of Kam Schools for the next 10 or 15 years will spend more on education and try to reach more Hawaiians and form more community partnerships. Another major change—giving the Hawaiian community more of a say in how the trust is run—has already begun with the strategic planning process. The draft was formed from more than 3,000 comments and suggestions the estate has solicited from the public since August. Kam Schools currently serves 961 preschool age children, 1,000 elementary school students on three islands, and 2,482 students attending high school on Oahu. They plan to increase the education spending from \$100 million annually to \$159 million in the next budget.

Since May 1999, the following changes have occurred:

Reorganized the Education Group, so all instructional and support programs report directly to the President;

Began leveraging of Kamehameha's resources through partnerships to expand programs;

Developed a K-3 reading program with DOE for DOE classrooms;

Expanded Pre-schools for three-year olds

Approved parenting program focusing on infants and toddlers.

NATIVE HAWAIIAN EDUCATION ACT OBJECTIVES

The NHEA was enacted in 1988. Its objective is to raise the educational status of Native Hawaiians (whose needs are documented below) through the provision of supplemental programs and services for curriculum development, pre-school education, gifted and talented programs, special education initiatives, and the provision of higher education. The Act was amended in 1994 and expanded to include the establishment of community-based learning center, a curriculum development and teacher training component, and the establishment of a statewide Native Hawaiian Education Council and individual island councils.

NATIVE HAWAIIAN EDUCATION ACT—SEVEN SECTIONS

(Sec. 9204) Native Hawaiian Education Council and Island Councils

(Sec. 9205) Native Hawaiian Family-Based Education Centers

(Sec. 9206) Native Hawaiian Higher Education Program

(Sec. 9207) Native Hawaiian Gifted and Talented Program

(Sec. 9208) Native Hawaiian Special Education Program

(Sec. 9209) Native Hawaiian Curriculum Development, Teacher Training, and Recruitment Program

(Sec. 9210) Native Hawaiian Community-Based Education Learning Centers

NHEA PROGRAMS ADMINISTERED BY KAMEHAMEHA SCHOOLS

(Other grantees include the University of Hawaii at Hilo, Leeward Community College, Maui Community College, Kauai Community College, Hawaii Community College, Pihana Na Mamo, Alu Like, Inc., Pulama I Na Keiki, Aha Punana Leo)

(1) Native Hawaiian Higher Education Program

\$1.036 million program funding—last year served 91 students.

provide financial assistance and direction to Native Hawaiian students seeking postsecondary education—also requires a community service commitment

(2) Kamehameha Talent Search
\$303,201 program funding—competitively granted—last year served 800 public schools students

assist students who may be first in family to graduate from a secondary school to enroll in postsecondary educational programs

SAFE AND DRUG FREE SCHOOLS NATIVE HAWAIIAN SET ASIDE ADMINISTERED BY KAM SCHOOLS

\$882,000 program funding—last year served 12,369 individuals

establish Safe and Drug Free Schools to reduce violence and substance abuse

REP. BOEHNER PREVIOUS ARGUMENTS

During the October 1999 markup of a section of the Elementary and Secondary Education Act reauthorization, Representative BOEHNER offered his amendment to repeal the program. He stated:

His comments would focus on Bishop Estate, its mission, its history of scandal, its budget, and potential for success with the recent reforms

He said there are 15,000 Native Hawaiian children in Hawaii—Patsy corrected him with Census data in her testimony, stating that there are actually 47,282.

He said Bishop Estate was worth \$10 billion and they own 10% of Goldman Sachs, numerous Hawaii hotels, Las Vegas casinos, and shopping centers. Kamehameha Schools budget data reflects a net worth closer to \$5 billion.

He said that the former trustees were involved in kickback schemes, mail fraud, drug use, and improper credit card use, but their biggest fault was their \$1 million annual compensation. He also mentioned the continuing probe of the estate's activities by the IRS and the State courts.

He said that there are 3,200 students in Kamehameha Schools and that only one-eighth of those that apply are accepted. Patsy corrected him that there are actually 5,000 children attending Kam Schools—my statistics show that the number is 4,444 kids.

He also made a point that the Estate should try using their interest income on educating Native Hawaiian children. That would raise the amount they spend by \$400 million annually.

Mr. BOEHNER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have great respect for my two colleagues from Hawaii. We have been involved in this fight for some 6 years. The fact is that the largest charitable trust in the United States is the Bishop Estate. Their only mission in the trust document is to provide for the education of the native Hawaiian children. The fact is that, last year, they bring from \$460 million, and they only spent \$100 million for the benefit of those children.

As a matter of fact, the IRS has gone in to investigate them, almost took away their tax exempt status because of the corruption in the estate. The fact is that why should taxpayers in Washington, D.C., provide an additional \$20 billion to one State that other States do not get when, in fact, they have got a \$10 billion trust that has no other mission, there is no other

use for this money than to help these children that they seek to help.

Mr. Chairman, I think it is time that we end this, and I urge my colleagues to vote yes on the amendment.

The CHAIRMAN pro tempore. All time for debate has expired.

The question is on the amendment offered by the gentleman from Ohio (Mr. BOEHNER).

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

Mr. BOEHNER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from Ohio (Mr. BOEHNER) will be postponed.

AMENDMENT NO. 1 OFFERED BY MR. ANDREWS

Mr. ANDREWS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. ANDREWS: Page 84, after line 21, insert the following: SEC. 518. None of the funds appropriated or otherwise made available by title III of this Act may be used to prohibit a State vocational rehabilitation agency from counting a blind or visually-impaired person as successfully rehabilitated under the Rehabilitation Act of 1973 if the person is placed in a non-competitive or nonintegrated employment setting at the Federal minimum wage or higher.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from New Jersey (Mr. ANDREWS) and a Member opposed each will control 5 minutes.

Mr. PORTER. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN pro tempore. The gentleman from Illinois (Mr. PORTER) reserves a point of order on the amendment.

The Chair recognizes the gentleman from New Jersey (Mr. ANDREWS) for 5 minutes.

Mr. ANDREWS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment is about preserving all of the best options for the job training and job placement of blind or visually impaired citizens.

The state of the law today I believe is correct. It says to State vocational rehabilitation agencies that, when they embark on the important work of preparing the blind or visually impaired for the work force, they have essentially two choices. They can direct their efforts toward a sheltered environment where individuals are placed and trained in an environment where there is public subsidy of the economic activity that ensues and where products are given certain market preferences; or they can attempt to train and place the blind or visually impaired citizen in the regular private sector marketplace.

In February of this year, the Department of Education embarked upon a rulemaking process that I believe

would upset that delicate balance. This proposed rule would not permit State vocational rehabilitation agencies to count as a success a placement of a blind or visually impaired citizen in a sheltered work environment.

Now, I believe that some individuals should not be placed in a sheltered work environment. They are in fact prepared and ready for the regular private marketplace. I certainly believe that all individuals should not be placed in a sheltered work environment.

But I believe that we should leave the law as it stands today, that we should permit vocational rehabilitation decision-makers at the State and local levels to use their good discretion as to where the best placement for these citizens would be.

Mr. Chairman, the other body in report language that will accompany their version of this appropriations bill has taken a stand in accordance with mine and has taken a stand in that report language stating that the law should remain the same and that the Department of Education should not go forward with this rule. I believe that is the correct position, and that is the purpose of my offering this amendment.

Now, I understand, Mr. Chairman, that this amendment is subject to a point of order because it is authorizing in nature. I would like to engage the gentleman from Illinois (Mr. PORTER), the chairman of our subcommittee, in a colloquy. Following that, I plan to withdraw my amendment.

Mr. Chairman, I am happy to yield to the gentleman from Illinois (Mr. PORTER), chairman of the subcommittee.

Mr. PORTER. Mr. Chairman, I would certainly engage the gentleman in a colloquy at this point if that is his desire.

Mr. ANDREWS. Yes. Mr. Chairman, reclaiming my time, could the gentleman from Illinois assure me that the report language addressing this matter as I just outlined will stand in conference?

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, while I have not examined this particular issue in detail, I will tell the gentleman from New Jersey that each House's report language has independent standing with the agencies. The gentleman is correct that, unless the statements made in report language are specifically rejected by the conferees, the language included in the report of the other body will stand in conference.

Mr. ANDREWS. I thank the gentleman from Illinois (Mr. PORTER), the chairman, and his staff.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN pro tempore. The amendment is withdrawn.

AMENDMENT NO. 198 OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 198 offered by Mr. STEARNS:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. _____. None of the funds made available in this Act may be used to prohibit military recruiting at secondary schools.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday June 12, 2000, the gentleman from Florida (Mr. STEARNS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I believe that it is fitting that we address a crisis that our military is facing tonight.

□ 1815

Each branch of the military is facing this same problem. It is having a very tough time attracting the number and quality of recruits needed to staff our military. The military, in fact, is suffering its worst personnel crisis since the draft ended in 1973.

My colleagues, sadly, over a thousand high schools nationwide restrict military recruiters access to their high schools. This barring keeps recruiters from its number one source of recruits, graduating high school students. The precedent has been set in the past that recruiters be given the same access to post secondary institutions as businesses or companies that are allowed to do so. For example, the jewelers that come to give the high school rings are allowed. There are lots of different companies that come in, but not our military.

This ban not only hurts our military but it also places students who may face difficulty financing college at a disadvantage from learning of the opportunities that the military could offer them in bonuses to help them with their education.

Service in the military is honorable, and we should encourage our young people to consider the possibility of serving in our Armed Services. My amendment establishes that none of the funds made available in this act may be used to prohibit military recruiting at our secondary schools. This amendment still allows for local control but permits Congress the opportunity to express the importance of allowing military recruiters access to our high school campuses. With all-time lows in recruiting for our military, Congress should make a statement tonight to encourage schools to honor military recruiters' requests for access.

For federally-funded schools to ban any access for military recruiters defies logic and, of course, patriotism.

Several school districts are banning military recruiters for social reasons. For some reason they just do not believe in the ideology of a military. So, therefore, they rob students of the privilege of hearing about the opportunities available in the Armed Services.

If school board members wish to oppose the military in their private lives, of course, in this Nation, they have the freedom to do so. Ironically, they have that freedom because men and women, of course, have served in the military and have sacrificed their lives for Americans to have this freedom. But to impose their personal ideology, their views, on a federally-funded public school is not right.

The Washington Times, on May 29 this year, reported about a resolution passed by the San Francisco Unified School District during the height, during the height of the Persian Gulf War, while our men and women were putting their lives at risk. It said, "Unbridled military spending in the last 40 years has, in large part, been responsible for the growing national debt and for inadequate spending on education and other necessary social services." This resolution was coupled with the school board's determination to deny the military all access to their school campuses or student lists. School board members should take their views to the polls, not restrict access to public schools by our military recruiters.

The United States Navy missed its recruiting goal by nearly 7,000 sailors in 1998, forcing many ships to be deployed understaffed. In response, the Navy's leadership decided in 1999 to accept a higher percentage of recruits without high school diplomas. That same year, both the U.S. Army and the U.S. Air Force also missed their recruiting goals.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. STEARNS. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I agree with the policy expressed in the amendment, and we would accept the amendment.

Mr. STEARNS. I appreciate the Chairman's acceptance. If I could, Mr. Chairman, I just would like to finish my statement. How much time do I have remaining?

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman has 30 seconds remaining.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. STEARNS. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, we are informed by the Secretary of Education that they have no intention of trying to prevent this kind of activity. In fact, the Secretary indicates he sent a letter urging them to emphasize the value of military service as a post high school option.

So, since it does not really do anything that I know of, I have no problem with accepting it.

Mr. STEARNS. Reclaiming my time, Mr. Chairman, I thank my colleagues, and I conclude by saying that we should support our military tonight. My amendment helps them to gain access so that they have the opportunity to get future soldiers.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS).

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

Mr. STEARNS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from Florida (Mr. STEARNS) will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. PAUL

Mr. PAUL. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. PAUL:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. _____. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act (42 U.S.C. 1320d-2(b)).

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Texas (Mr. PAUL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. PAUL).

Mr. PAUL. Mr. Chairman, I yield myself such time as I may consume.

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

Mr. PAUL. Mr. Chairman, this amendment says that none of the funds in this appropriation can be used for implementing a uniform medical identifier. It is a privacy amendment. It was in the bill in 1998 and 1999. I think it would be a good idea to have it in this year's bill.

This comes from authority granted in the Health Insurance Portability Act of 1996 and it was designed to establish a medical data bank. But because many, on both sides of the aisle, have objected to this invasion of privacy to set up a medical data bank, there has been some resistance to this. Although the removal of the authority would be the proper way to solve this problem once and for all, I think that it would be very appropriate to continue the policy of not permitting any Federal funding to be spent on developing this universal medical identifier, which by all indications would be our Social Security numbers.

Many people object to this invasion of privacy. They do not place full trust in the U.S. Congress and in the U.S. Government to protect our privacy.

Many say that this would not be an invasion of privacy and there would be some strict rules and regulations about how this medical information would be used, but that is not enough reassurance.

As a physician, I can tell my colleagues that this form of invasion of our medical privacy will not serve us well in medical care. What it leads to is incomplete and inaccurate medical records, because it becomes known to the patient as well as the physician that once this information is accumulated that it might get in the hands of the politicians and used for reasons other than for medical care, I think, it could damage medical care endangered from having a medical data bank set up.

The American people have spoken out strongly in recent years about their invasion of privacy. There was a proposal to implement a know-your-customer bank regulations. These were soundly rejected by the people, and I think that this same sentiment applies to the medical data bank. Also, efforts to establish a national identification card for the American people has not met with a great deal of acceptance with the American people.

So my effort here in limiting this development of a universal medical identifier is to keep the Federal Government out of this business. It is too easy for abuse of this type of information to occur. We have heard that the various administrations over the years have abused records kept in the IRS as well as the FBI. This would just be another source of information that individuals could use in a negative fashion.

I believe it is a fallacy for those who promote the setting up of a universal medical identifier and a universal medical data bank that it is an effort to simplify the process, to streamline the system, to make government more efficient, to facilitate medical research. It has also been said this could be used in law enforcement. But just think about this. If these records can be turned over without the approval of the patient to law enforcement, it really, quite clearly, is a violation of the fifth amendment of self-incrimination. So this idea that this medical bank might be beneficial for law enforcement is rather scary and something that we should prevent.

Already, under authority that was given to Health and Human Services, they have started to draw up regulations which regulate privacy matters, not so much the medical data bank but in other areas. The other thing that concerns me a great deal is these medical regulations that have been proposed not only deal with the privacy of somebody that may be receiving medical care from Medicare but also in the private sector.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. PAUL. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I agree with the policy of this amendment

also, and we would be happy to accept the amendment.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. PAUL. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would simply like to accept the amendment on this side of the aisle. I think the gentleman is correct.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Texas (Mr. PAUL).

The amendment was agreed to.

Mr. PORTER. Mr. Chairman, I move to strike the last word.

Mr. KENNEDY of Rhode Island. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I rise today to engage in a colloquy with my colleague from Illinois.

Both the ranking member of the subcommittee, the gentleman from Wisconsin, and the gentleman from Illinois have been tremendous supporters of the asthma programs under the CDC Chronic and Environmental Disease Prevention program. Members on both sides of the aisle have agreed that this program is critical in addressing the increases in asthma amongst children. Under the subcommittee's leadership last year, we were able to provide an increase of \$10 million to this program. This year the total CDC Chronic and Environmental Disease budget was approved for an increase of over \$21 million, bringing its overall total to \$317 million. While this commitment is a wonderful step in the right direction, it is my hope that the subcommittee will continue its work in conference to assure that increases for asthma control and prevention are continued.

Asthma rates are rising dramatically across this country in all populations. Tragically, our children, in fact, are affected the most. Between 1980 and 1994, the rate of asthma incidence rose by 160 percent for children under 4 years of age. Across the Nation, 17 million Americans, 5 million of them children, are afflicted with asthma. As an asthmatic myself, I can assure my colleagues that prevention programs are vital. They teach asthmatics as well as their families how to develop strategies within the home to reduce allergens, as well as to treat the disease of asthma.

Again, Mr. Chairman, I appreciate the commitment of the gentleman from Illinois to the CDC and its programs regarding asthma control, and it is my hope that the gentleman will continue to work throughout this legislative process to ensure that the issue is provided additional funding in the final bill.

In this regard, Mr. Chairman, I know it is the gentleman's last year in this body, and I want to thank him for all of his hard work. He has been critical to our Nation's health programs, and I

know that all of our Members widely regard the gentleman as just having been a great champion for the NIH and for so many important areas. There are few Members who have worked so hard on areas of critical concern, like our health care system, and the gentleman has been terrific.

I also want to commend my colleague, the gentleman from Wisconsin (Mr. OBEY), for his efforts in his position as ranking member on the Committee on Appropriations. He has also attended to our national health programs with the utmost of integrity, and I want to thank the both of them for showing what it means to be both good appropriators as well as supporters of essential health programs.

Mr. PORTER. Reclaiming my time, Mr. Chairman, let me thank the gentleman from Rhode Island for his very kind words.

We have agreed in the subcommittee that the increased prevalence of asthma is of great concern. My sister is a sufferer from asthma. She is in the hospital right at this time.

As the gentleman mentioned, last year we increased the CDC Chronic and Environmental Disease program by \$10 million. We have provided an additional \$21 million this year for all programs in this account. The gentleman can be sure that we will do our best through the remainder of the process and within budget constraints of the bill to increase funding for asthma control programs.

I will be pleased to work with the gentleman from Rhode Island on this issue.

Mr. KENNEDY of Rhode Island. Mr. Chairman, if the gentleman will continue to yield, I want to thank him and wish his sister a speedy recovery.

□ 1830

PART B AMENDMENT OFFERED BY MRS. WILSON

Mrs. WILSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. PEASE). The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B Amendment printed in House Report 106-657 offered by Mrs. WILSON:

Page 84, after line 21, insert the following new section:

SEC. 518. The amounts otherwise provided by this Act are revised by reducing the amount made available for "OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION—SALARIES AND EXPENSES", and increasing the amount made available for "HIGHER EDUCATION", by \$25,000,000, to be used to carry out the 21st Century Teaching Scholarships Act, if such legislation is enacted.

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, the gentlewoman from New Mexico (Mrs. WILSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the amendment that I have at the desk and that I am offering today launches a G.I. bill for teachers.

I recognize that some may oppose this amendment today for procedural reasons and others for ideological reasons, but I believe it is very important for this country to lower our voices and to raise our sights with respect to public education and to embrace the greatest challenge that we face in the 21st century. And I believe that that is public education.

I want to commend the chairman and the ranking member for bringing forward a bill that does increase funds for education. While I realize that there are still disagreements on details and on programs, this bill does include an almost 10 percent increase in education in the bill, and I support additional increases as we go on.

But I do not think that we can do things the same old way and expect different results. We know that we are going to have a shortage in this country of 2 million teachers that we will need to hire over the next decade. I believe we need to get the best and the brightest we possibly can and get them, train them, and put them in the classroom. I would like to start this year.

I introduced a bill earlier this year which I call the GI Bill for Teachers. It is much larger than the amendment that I am offering today, but I would like to get a start.

The amendment that I am offering today would take \$25 million to start this GI Bill for Teachers. It would provide scholarships of \$10,000 a year for full-time students, \$5,000 a year for part-time students. Students who would be eligible include high school graduates, as well as certified teachers; and those scholarships would be available for up to 5 years for each student.

The idea is that teachers would give back 2 years in the classroom for every year that they are on full-time scholarship, or 1 year given back in service for every year that they are in a turnaround school, a school that has been identified by the State as one that needs to improve its performance for its students.

The scholarship program gives the money to the States based on student population, and it has the States set up selection boards and those selections would be based on merit.

It also allows States to set up up to 35 percent of the value of the scholarship to recruit teachers into critical-shortage areas so States like my own that are short of bilingual teachers or short of secondary school teachers in mathematics and science could set that as a special area of concern and try to recruit young people who are the best and the brightest to teach in those areas.

This is only a beginning. It would create 2,500 scholarships for young people who are committed to the profession of teaching or even for teaching assistants who want to go back to

school and get that degree to become a teacher in the classroom.

I believe we have much work to be done over the next decades to improve America's public schools, and I am very happy to be part of initiating a program like this to get started.

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

Mr. OBEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there is absolutely nothing wrong with the program that the gentlewoman from New Mexico (Mrs. WILSON) seeks to promote. The problem is that the bill itself to which you would offer this amendment eliminates the guarantee that we will continue on the road to produce 100,000 new teachers in the classroom, an initiative which the President began 3 years ago.

Under the bill before us, that program guarantee would be eliminated because that program is tossed into a block grant and those funds could be gobbled up for other purposes.

Under the President's proposal, which this committee walks away from, the gentlewoman's own State will receive over \$14 million to assure the placement of additional teachers in the classroom.

In contrast, this proposal, laudable though it is, would, as I understand the impact of the bill, produce only about \$175,000 in funding for the home State of the gentlewoman.

But a more serious problem is that, while the amendment itself in terms of what it would add would do no harm, what it would cut certainly would. There are a lot of people who work in a lot of places in this country who do not worry about fancy slogans like moving into 21st century learning and living in a 21st century modern world; they simply worry about getting through the day without getting hurt. And if you take a look at what this amendment does, it funds this laudable program by a whopping \$25 million out of OSHA.

OSHA is the agency charged with the responsibility to protect workers' health and safety. Right now it has only one inspector for every 3,100 businesses. Of the 13,000 most dangerous non-construction workplaces in this country, OSHA was able to inspect less than 2,200 last year.

So it seems to me that the amendment of the gentlewoman, while laudable in terms of what it adds, is extremely troublesome in terms of where it gets the money; and I would say that, for that reason alone, the committee ought to turn it down.

Mrs. WILSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would just add two things to my support of this amendment. The gentleman from Wisconsin (Mr. OBEY) is correct that this does have an offset, which is required in order for an amendment to be in order on the floor. But that offset only reduces the general accounts, salaries

and benefits accounts, of the OSHA administration by about 5 percent.

I am one of those who believes in safety in the workplace. But I also do not believe that we can inspect Quality Inn. And I think there is a distinct approach that is possible with respect to occupational safety and health and that this really is a rather modest reduction with respect to OSHA.

But with respect to his other point about 100,000 teachers to the classroom, we may have differences about how to administer funds, but I think we need to be fair that we are not talking about whether to increase funds for education.

I actually fully expect to support additional increases in funds for education, and that is why I got into public life is because of a concern about public education. But I have to say I would rather that those decisions be made by somebody who knows my son's name, and I would rather that my local school district have the authority to decide whether we are going to go to full-day kindergarten or whether we are going to have smaller kindergarten classes and be able to make those decisions even school by school, classroom by classroom.

That is the distinction between the sides of the aisle here. I can support a lot greater increases in funds for education. I just want to make sure that the quality is there and that the accountability is there and that the decisions are made at a local level.

I ask for my colleagues' support for this critical teacher-training amendment.

Mr. OBEY. Mr. Chairman, I yield myself the remaining 2 minutes.

Mr. Chairman, again let me say that I am perfectly willing to work with the gentlewoman to try to find funding for the program that she is talking about. But when she describes this cutback in OSHA funding as a modest reduction, I would simply say, tell that to the families of the 48 workers in New Mexico who were killed last year in occupational fatalities, tell that to the 30,000 people in her State who were injured last year, tell that to the 65 workers in her State who suffered amputations last year.

And I would also note that in her home State, on average, it takes 76 years for OSHA to get around to being able to inspect all of the plants in that State. And nationally, that bleak picture is much the same. Over 6,000 occupational deaths last year; almost 5 million occupational injuries.

I do not think if you sweat 40 hours a week to earn a living for your family that you would regard a \$25 million cut in the budget that protects your health, safety, and your very life as a modest reduction. For some individuals, it would literally be a life-or-death decision. I urge rejection of the amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from New Mexico (Mrs. WILSON).

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

Mrs. WILSON. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentlewoman from New Mexico (Mrs. WILSON) will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. ANDREWS

Mr. ANDREWS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. ANDREWS: At the end of the bill, insert after the last section (preceding the short title), the following new section:

SEC. 518. None of the funds in this Act may be used to make payments to a Medicare+Choice organization offering a Medicare+Choice plan with respect to which the Secretary finds the organization to be out of compliance with requirements of part C of title XVIII of the Social Security Act pursuant to an audit conducted under section 1857(d) of such Act (42 U.S.C. 1395w-27(d)).

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from New Jersey (Mr. ANDREWS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in 1997, this House enacted the Medicare+Choice Program. The idea was to give some senior citizens the ability to get extended benefits under Medicare, including prescription drugs, by enrolling in managed care plans.

There were advertisements in newspapers and on televisions across the country advertising zero premiums and very cheap premiums, and millions of senior citizens across the country flocked into the program. In my area, it is estimated that 35,000 Medicare recipients flocked to the program.

The law provided for the first 2 years of the program a substantial Federal subsidy to the Medicare+Choice Program. That subsidy evaporated at the beginning of this calendar year. As a result of that, on January 1, 2000, senior citizen enrollees in this program across the country received significant increases in their premiums.

For example, in the part of New Jersey that I represent, people who were paying nothing or \$10 a month saw their premiums skyrocket to \$85 dollars or \$100 or \$120 a month. This is a serious problem.

The way to address it is for us to bring to the floor of this body legislation that would create for the first time a real and meaningful and comprehensive prescription drug benefit under Medicare.

While we await that hopeful action, there is some repair work that I believe needs to be done on Medicare+Choice.

In my region, we have the indefensible situation where constituents are paying \$120 a month in premiums for the same benefit under the same program where people who are literally a mile away living across the river in Pennsylvania are paying \$15 or \$20 or \$25.

Now, Mr. Chairman, they are living in the same regional economy. They pay the same hospital costs. They pay the same prescription drug costs. But the difference of ZIP code separates this price increase and imposes upon my constituents in southern New Jersey a price increase that is substantially higher than that of our neighbors.

Earlier this year, I spoke, Mr. Chairman, to the leadership of the Health Care Financing Administration and asked them, as they have under statutory authority, to conduct an audit to determine whether the managed care plans in southern New Jersey are charging the appropriate rates under this program. It has been represented to me by the leadership of the Health Care Financing Administration that this audit will be done in an expeditious fashion.

But I am concerned. The contracts for calendar year 2001 must be renewed this year by September 1, 2000. It is imperative that these audits be finished in a fashion so that adjustments can be made and contracts can be properly renegotiated so these premium increases can be rolled back in time for the September 1, 2000, contract deadline.

□ 1845

The purpose of my amendment, therefore, is to require that these audits be done in a timely fashion so that the results can have a bearing and a significance on the contracts for the new year in calendar 2001.

It is my intention, Mr. Chairman, in the interest of cooperation to withdraw the amendment, but I would like to yield to the gentleman from Illinois so that I can hear his comments on it.

Mr. PORTER. If I may claim the time in opposition, Mr. Chairman.

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman from Illinois may claim the time in opposition.

Mr. ANDREWS. Mr. Chairman, I reserve the balance of my time.

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume. I would have to oppose the amendment of the gentleman from New Jersey. I know the gentleman is trying to make a point with this amendment and it is a valid point, but I do not think this is the right way to do it. If I understand the amendment correctly, it would shut down any Medicare+Choice health plan in the country for any reason a plan is not in compliance with an audit performed by the Department. This could be something as minor as using an incorrect calculation. I do not think the gentleman intends to start shutting down plans and leaving senior citizens without access to health care, so I

would ask the gentleman if he would withdraw the amendment. I would work with him to make this a priority for HCFA and the Inspector General who is actually doing an audit of the plan the gentleman has concerns about right now.

Mr. ANDREWS. Mr. Chairman, if the gentleman will yield, it is certainly my intention to accede to his request. If I may just say, there is an audit ongoing by both HCFA and the IG at this time. My interest is in expediting the completion of that audit. I would ask for the chairman's, the ranking member's, and the committee's cooperation in impressing upon HCFA the importance of an expeditious completion of the audit.

Mr. PORTER. We will work with the gentleman in that regard.

Mr. ANDREWS. Mr. Chairman, I ask unanimous consent that my amendment be withdrawn.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN pro tempore. The amendment is withdrawn.

AMENDMENT NO. 191 OFFERED BY MR. TANCREDO

Mr. TANCREDO. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 191 offered by Mr. TANCREDO:

Page 84, after line 21, insert the following new section:

SEC. 518. The amounts otherwise provided by this Act are revised by reducing the aggregate amount made available for "OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION—SALARIES AND EXPENSES", by reducing the aggregate amount made available for "EDUCATION FOR THE DISADVANTAGED", by reducing the amount made available under the penultimate proviso (relating to section 1002(g)(2) of the Elementary and Secondary Education Act of 1965) under the heading "EDUCATION FOR THE DISADVANTAGED", by reducing the amount made available under title III for "DEPARTMENTAL MANAGEMENT—PROGRAM ADMINISTRATION", and by increasing the aggregate amount made available for "SPECIAL EDUCATION", which increase shall be available for carrying out part B of the Individuals with Disabilities Education Act, by \$5,000,000, \$20,000,000, \$20,000,000, \$5,000,000, and \$30,000,000, respectively.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Colorado (Mr. TANCREDO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, I yield myself such time as I may consume.

Today on the floor of the House we have had a number of amendments offered on the same issue. This issue, of course, is the transferring of funds from someplace in this bill to IDEA, or the Individuals With Disabilities Education Act. They have been uniformly turned down by our Members at the

point in time on which they were voted, so I recognize full well that I am here in a way perhaps as a *beau geste*. I believe so strongly that we should be reorganizing our priorities in this particular bill that I feel it is worth the effort to once again bring it to the attention of my colleagues. However, I would also say, Mr. Chairman, that I intend to ask for unanimous consent to withdraw this amendment at the appropriate time.

While Congress over the last 5 years under the leadership of the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from Illinois (Mr. PORTER) increased the Federal share of IDEA to 12.6 percent, we have much further to go to reach the promised 40 percent. That is why I was so disappointed to see the underlying bill, the bill which we are debating here, includes only a \$5.5 billion appropriation for special education grants to State programs, only a \$500 million increase over last year's level.

While I commend the House Committee on Appropriations for increasing the program, it is well short of the over \$16 billion level needed to reach the full 40 percent promised to States and localities and less than the \$2 billion increase promised in the budget resolution. The lack of adequate funding for special education in H.R. 4577 comes even as the bill increases funding for many education programs which are inefficient and have yet to produce reliable results.

It is for this reason that I and many of my colleagues come down to the floor today to offer the amendments to increase funding for special education which should be our first priority in the education part of this bill.

Today, I offer this amendment to increase IDEA funding by \$30 million by reducing funding for the comprehensive school reform program by \$20 million, for OSHA by \$5 million, and for the Department of Education administration by \$5 million. The amendment does not cut the comprehensive school reform program, it merely reduces the funding increase in the current bill and transfers that extra funding to special education.

In this case, Mr. Chairman, I must say that I am almost as concerned about this constant attempt, or not just attempt but accomplished fact of appropriating money to unauthorized programs where now we are up to over \$200 billion a year. So it does call into question the need for authorizing committees in the first place, that is for sure, and once you recognize that this is another one of those programs, the comprehensive school reform program, it may be a wonderful program, we have never authorized this program, never from its inception. We have not the slightest idea how this program really is supposed to work against anything else. There are no rules and regulations that really the Department can operate on to determine whether or not it is doing well. It is now appropriated

at about \$170 million. That is what it is going to be in this year. It is an extremely expensive program, again, never authorized. And so we do withdraw \$20 million in funding just bringing it down to last year's level.

The program was authorized at \$145 million per year to help low-performing schools raise student achievement by adopting research-based, schoolwide approaches. It is important to remember that under the schoolwide program approach of title I, schools with 50 percent or more poverty can use their regular title I funds to serve all students in the school and to change the whole school. But rather than debate all the different places from which this money is taken, I want to concentrate on the need for the Congress of the United States to live up to the commitment it made to the people of the United States when it enacted the first special education laws, because that is really where we should be focusing our attention.

That was the mandate. We tell every State in the Nation what they must do and how they must do it. And it is an extraordinarily expensive undertaking for them that drains money away from other very important programs. And so I suppose I will be here as often as I can to make the case for us to live up to the commitment in special education, even if it means reducing our commitment to these other programs which have in the past shown absolutely no improvement.

Mr. Chairman, I rise in opposition to the Tancredo amendment which would cost \$20 million in funding in the bill for the Comprehensive School Reform Demonstration Program.

Funding for the Comprehensive School Reform Program is authorized under the title 1 demonstration program (section 1002) of the Elementary and Secondary Education Act. In addition, the program has been included in bills passed by the House and reported by the Senate Education Committees to reauthorize the Elementary and Secondary Education Act.

I would like to insert at this point in the RECORD some preliminary findings of the Department of Education—data on early CSRD implementation from the national longitudinal survey of schools—on the first year of implementation of the comprehensive school reform program. This program is beginning to accomplish significant results in schools in Wisconsin and in other States across the country.

[Memo]

To: Honorable David Obey.

From: Planning and Evaluation Service, U.S. Department of Education.

Re: Data on Early CSRD Implementation from the National Longitudinal Survey of Schools.

Date: June 12, 2000.

This memo provides information on the early implementation of the Comprehensive School Reform Demonstration (CSRD) program. The following is a compilation of preliminary results from the first year administration of the National Longitudinal Survey of Schools (NLSS). The NLSS was administered in Spring 1999 to a nationally representative sample of Title I schools as well as to a sample of approximately 300 Com-

prehensive School Reform Demonstration (CSRD) schools that received grants under this program between July 1998 and mid-February 1999. The Title I school sample serves as a useful comparison group to the CSRD schools.

The NLSS is collecting, for three years, information on school-level implementation of standards-based reform and Title I. Principals and up to six teachers in each school are surveyed. The surveys address topics such as awareness and understanding of standards, selection and implementation of externally-developed models, Title I services, parent involvement and professional development.

These data are taken from a draft report prepared by RAND, "Comprehensive School Reform Demonstration (CSRD) Schools: Early Findings on Implementation," based on the first year of the NLSS. The draft report is currently circulating for review within the U.S. Department of Education and is expected to be formally released to Congress this summer. The data cited below highlight comparisons of CSRD and Title I schools:

SCHOOL AND STUDENT CHARACTERISTICS

Overall, CSRD schools are comparable to Title I schools as to the grade levels served and size. However, CSRD appears to be serving higher poverty schools with larger minority populations. CSRD serves a mix of urban (50 percent), suburban (15 percent) and rural (35 percent) schools, but are more likely than Title I schools to be located in urban areas.

CSRD is more focused on turning around low-performing schools. CSRD schools (42 percent) are more likely than Title I schools to be identified as in need of improvement (10 percent). In general, CSRD schools in the sample had been identified as in need of improvement longer than Title I schools identified for improvement in the sample.

CSRD is more targeted than Title I towards higher poverty schools. In about 96 percent of CSRD schools, at least half or more of students receive free/reduced price lunch. In contrast, about 53 percent of Title I schools have half or more students receiving free/reduced price lunch.

CSRD schools are serving schools with a higher concentration of minority students. Compared with 20 percent of Title I schools, in well over half of CSRD schools between 75-100% of students are minority.

CSRD schools are serving substantial numbers of special education students. Virtually all CSRD schools in the sample have special education students. In 68 percent of CSRD schools at least 10 percent of the student population have Individual Education Plan (IEPs).

ADOPTION OF EXTERNALLY-DEVELOPED MODELS

One of the goals of the CSRD program is to help facilitate the adoption and implementation of research-based models in Title I schools. According to the NLSS, in 1998-99, about 31 percent of Title I schools overall reported that they have adopted research-based models. This baseline figure will be tracked by the NLSS over the next three years to examine the extent that CSRD may be catalyst for reform in Title I schools overall.

CSRD schools are more focused than Title I schools on research evidence. CSRD schools are more likely than Title I schools to report that the research evidence (95 percent compared to 88 percent) and improved student performance in similar schools (95 percent compared to 85 percent) was an important factor that influenced their choice of models.

Faithful implementation to a model design is often cited as a key issue for model effectiveness. According to the NLSS, significantly fewer (8 percent) CSRD schools re-

porting adopting just parts of models compared with Title I schools (22 percent). Fewer Title I schools than CSRD schools reported implementing models strictly without adaptations.

CSRD schools are receiving more assistance from model developers. 96 percent of the CSRD principals, compared with 82 percent of principals in Title I schools implementing models reported that their staff received professional development or assistance implementing their chosen model. In 80 percent of the CSRD schools, compared with only 52 percent of Title I schools, assistance was provided by the model developer.

Teacher buy-in is also considered a key need in implementing reform. In 80 percent of CSRD schools compared with 53 percent of Title I schools implementing models, teachers voted on the adoption of the model.

LEVERAGING TITLE I SERVICES

The NLSS seems to indicate that CSRD may be helping to leverage Title I funds in ways that support the priorities of the Elementary and Secondary Education Act (ESEA). For example:

CSRD schools are more likely to support extended learning time. Nearly 70 percent of CSRD schools report having before and after school programs, compared with 52 percent of Title I schools and 53 percent of Title I schoolwides. CSRD schools are more likely than Title I schools to have summer school, extended year, and weekend programs.

Improving parent involvement is more of a focus in CSRD schools. CSRD schools in general were much more likely to report parent services programs supported with Title I than Title I schools. About 80 percent of CSRD principals reported parent training, 72 percent had a parent liaison, and 40 percent had a family literacy program. This was compared to 61, 54 and 29 percent respectively in Title I schools.

Minimizing pullouts. The percentage of Title I schoolwide elementary schools offering pull out services (57 percent) is higher than of CSRD elementary schools (45 percent).

Use of teacher aides. Overall, far fewer CSRD school principals reported using teacher aides to provide Title I instructional services in reading and math (66 percent) compared with schoolwide or all Title I principals (81 and 83 percent respectively).

Coordination of funds. In general, CSRD schoolwide principals were more like than Title I schoolwide principals to report greater integration of funds. Fewer CSRD schoolwides than Title I schoolwides reported challenges to coordinating federal resources with other funding sources. For example, in citing barriers, 55 percent of Title I schoolwide principals said they were unsure of what was allowed in combining funds compared to 38 percent of CSRD schoolwide principals.

PROFESSIONAL DEVELOPMENT

Professional development priorities. CSRD school principals were more likely to report that their school improvement plan and standards (70 percent) were important for determining professional development activities (55 percent in Title I schools).

Sustained professional development. CSRD teachers were more likely than Title I teachers to report that their professional development activities in the areas of instruction, strategies to help low-achieving students, and other professional development activities were sustained and ongoing.

PARENT INVOLVEMENT

Sharing information. CSRD schools are more likely than Title I schools to share documents, including school performance profiles with parents; provide homework hotlines to parents; and ask all parents to participate in a school-parent compact.

Support services. On the whole, CSRD schools resemble schoolwide Title I schools with respect to parent involvement strategies with one exception—a far higher number of CSRD schools provide social support services to parents.

Parent involvement strategies. CSRD teachers were more likely than Title I school teachers to report using certain parent involvement strategies such as home visits (20 percent to 15 percent), showing parents models of successful work (82 to 75 percent), and initiating phone calls to parents (74 to 69 percent).

CONCERNS

The comparative data between Title I and CSRD schools does raise some concerns, particularly in the area of expectations of students and use of technology. Some of these differences may be due to the significantly more targeted use of CSRD funds in high-poverty and low-performing schools. Recall that CSRD schools are more likely to be identified for improvement under Title I than Title I schools in general (42 percent compared with 10 percent) and significantly higher poverty (86 percent high-poverty CSRD schools compared to 53 percent high-poverty Title I schools).

CSRD school principals are more likely than Title I schoolwide or Title I principals in general to report that standards are too rigorous for most of their students (14 percent compared with 7 percent). Twenty-two percent of teachers in CSRD schools report that standards and assessments are too hard for most of their students.

The student to computer ratio in CSRD schools is 10:1 compared to 8:1 in Title I schoolwides. Sixteen percent of teachers in high-poverty Title I schools report that their students use computers daily, compared with 6 percent of teachers in CSRD schools.

CSRD principals were more likely to report barriers in using technology that principals in Title I schools. For example, 70 percent of CSRD principals reported lack of staff or inadequate training was a barrier to use of technology in their schools, compared to only 45 percent of Title I schoolwide school principals.

Additional findings will be available after completion of the internal review of the NLSS report on first year CSRD findings.

STATE EDUCATION ADMINISTRATORS VIEW CSRD AS HELPING STRENGTHEN THE QUALITY OF SCHOOLS' TITLE I SCHOOLWIDE PROGRAMS

COLORADO

The State of Colorado has been witness to the positive effects that CSRD has on student achievement. The response to this demonstration program has been enthusiastic from the local and state levels.—Brooke Fitchett, Consultant, Colorado Department of Education.

MAINE

"The current eleven CSRD schools are making great strides and serving as important role models for Maine's secondary education reform initiative Promising Futures; A Call to Improve Learning for Maine's Secondary Students."—Susan Johnson, CSRD Program Coordinator, Maine Department of Education.

MONTANA

"Montana is not the sort of place that usually comes to mind in connection with 'schoolwide restructuring.' It has a lot of rural, one-school districts, a lot of places where there are more members on the school board than students. The state has low-performing schools most of them on or near Indian reservations. Many of these schools face not only the usual problems associated with

poverty, but also those associated with isolation. They tend to have a lot of staff turnover; one district that obtained a CSRD grant had had seven superintendents in five years.

We saw [CSRD] as a wonderful chance to bring more resources to the schools with the highest rates of poverty. . . . Five of the six schools are elementary schools; one is a rural high school. Four are located on reservations, and all have high percentages of Native American children.

The awards, which ranged from \$50,000 to \$147,000, were made in July and October 1999, but the effects are already obvious. More administrators stayed put this fall, for one thing.

Bringing members of the community in to see what their school is doing had tremendous positive impact. It's developed school-based leadership; made people in the community feel they have a stake in the plan.

Schools have given teachers more planning time, and forged new relationships with tribal colleges, other higher education institutions and the state education agency. Within the state agency, there is more collaboration among program offices, and there is a greater understanding of school programs at the state level as a result of CSRD.—Ron Lukenbill, Title I Specialist, Montana Department of Education.

OHIO

"In the past two years, the CSRD program has helped eighty-seven schools in thirty-nine Ohio school districts to improve the quality of their educational programming. This important resource has not only enabled school buildings to implement professional practices to address individual building needs, but also strengthened the connection between single buildings and districts in an effort to maximize the impact of their reform efforts. We hope to use future CSRD funds to strengthen the foundation we have built, and better serve even larger numbers of students and schools."—Frank Schiraldi, Associate Director, Comprehensive School Improvement, Ohio Department of Education.

"...ODE anticipates that CSRD will become the centerpiece of comprehensive school reform in Ohio."—from State of Ohio Revised Application for Comprehensive School Reform Demonstration Program.

OREGON

"CSRD has served as a model for an intensive, in-depth school improvement planning process. Oregon is electing to use this same model to strengthen the Title I Schoolwide Program planning process throughout the state, and to provide a vehicle for change in schools that are in Title I school improvement status. In order to effectively design a coherent, cohesive process for these schools that is closely aligned to CSRD, Oregon has submitted a Consolidated State Plan amendment for the FY2000 Appropriation for Title I School Improvement. Oregon proposes to combine these funds with FY2000 CSRD funds. In this way, more low-performing schools will be eligible to engage in a common school improvement effort with the same support system in place."—Chris Rhines, Education Program Specialist, Office of Student Services, Title I, Oregon Department of Education.

UTAH

"The interest of Utah schools in the Comprehensive School Reform Demonstration program was high initially and has continued to grow in the last two years. . . each year the quality of the CSRD plans has improved and the grant competition has become more competitive."—Sandra Johnson, Title I Coordinator, and Nancy Casillas,

Title I and CSRD Specialist, Utah Department of Education.

WISCONSIN

"Wisconsin's [CSRD] program has sparked an incredible amount of interest and energy for improving Wisconsin's schools. The legislation aligns well with our school improvement framework. For example, the legislation allows schools the flexibility to identify their needs and goals, and then select a reform design based on research that addresses those needs and goals.

"Also, the legislation focuses on schools with the greatest needs, such as our Title I schools; encourages a balance between our rural and urban schools, as well as between elementary and secondary school levels; and promotes a focus on Wisconsin's Model Academic Standards.

"These reform efforts in Wisconsin are not top-down mandates, but rather have been effectively initiated as a collaborative effort between teachers, administrators, and parents. We have seen schools reenergize; students have begun to achieve in the core academic subjects; a common vision and purpose developed within schools; a restructuring of professional development for school staff; and parents and communities involved."—Scott Jones, Director of School Improvement, Wisconsin Department of Public Instruction.

Excerpts from ECS Publication entitled Comprehensive School Reform: Five Lessons From the Field, December 1999

"Comprehensive school reform is not just another school improvement strategy—it is a significant leap forward in reforming today's public schools. Comprehensive school reform addresses all students, all academic subjects and all teachers. When done well, a school is overhauled from top to bottom. Adding one program on top of another is thrown out in favor of the much more difficult work of reorganizing schools, targeting professional development for teachers and principals, changing curriculum and making tough budget decisions.

"In short, comprehensive school reform transforms the way a school functions to accomplish one goal: improved student achievement for all students. Comprehensive school reform is a breakthrough that allows schools, districts and states to move beyond finger pointing and blame to real improvements in student learning. Implementing this reform strategy is not easy, however. There is nothing tougher than spending money differently, sticking with an approach long enough to see results, and overcoming turf battles along the way."

Wisconsin CSRD Evaluation Findings

The Wisconsin Department of Public Instruction's evaluation of the first year of CSRD implementation concluded that students in CSRD schools made notable gains on the Wisconsin Student Assessment System (WSAS). At the fourth grade level, students in CSRD schools improved slightly in reading and made large improvements in language arts, math, science and social studies. The percentage increases of the CSRD schools exceeded those of Wisconsin schools as a whole in all of the subjects except language arts.

CSRD Schools and the AIR Study

Approximately 369 schools, or 21% of CSRD schools, are using a model rated strong by the AIR study of comprehensive school reform models.

Approximately 531 schools, or 30% of CSRD schools, are using a model rated either strong or promising by the AIR study of comprehensive school reform models.

States Are Using the CSRD Framework To Strengthen Their Work With Schoolwide Programs and Low-Performing Schools

Oregon plans to integrate CSRD funds, Title I Accountability funds and state improvement funds in a reform effort based on the CSRD framework.

Virginia is using the CSRD framework to support low-performing schools through the Governor's Best Practice Centers.

California has integrated the CSRD program into the state's new accountability initiative. Schools identified for immediate intervention are eligible to compete for a CSRD grant this year or receive a planning grant using state dollars.

In Idaho and Utah, private foundations are providing significant resources to schools to implement comprehensive reform efforts, using the basic criteria from CSRD.

APPENDIX A.—CSRD SCHOOLS SERVE SPECIAL EDUCATION STUDENTS AS A PART OF THEIR EFFORTS TO IMPROVE TEACHING AND LEARNING FOR ALL STUDENTS IN THE SCHOOL
BLACKSTONE PRIMARY SCHOOL, BLACKSTONE, VIRGINIA

Blackstone Primary is an elementary school located in Nottoway County, Virginia, a small rural school district. Blackstone, a Title I schoolwide program, serves approximately 500 students in grades Pre-K to 4. Sixty-three percent of students are eligible to receive free lunch. The school population tends to be stable. The school has recently undergone a major facility renovation.

Blackstone was among the highest achieving schools in the state on the 1999 Virginia Standards of Learning assessments. On the grade three test, over 70% of students passed all four tests (English, math, science and social studies). Based on this level of achievement, Blackstone was one of a small percentage of schools that qualified for full state accreditation. The leadership of the school, however, knows there is still room for improvement. "We want them all" to pass is the school's goal.

Identified as a school in need of improvement under Title I in the past, Blackstone has been instituting reforms for the last eight years. From the time that Mrs. Horn became principal, the staff became involved in finding new programs that would result in increased student achievement. Support has steadily grown. Data-driven decision making and a rigorous focus on literacy are the key themes at Blackstone Primary. The implementation of the Onward to Excellence II reform model, supported by a grant from the Comprehensive School Reform Demonstration program, is assisting the school in these efforts. The whole staff is involved in the data collection and analysis process. Data is collected on achievement, discipline, attendance and teaching experience and is disaggregated by student, teacher, gender, free lunch and race. Priorities and goals for the school, along with strategies to reach them, are based on this information. Individualized strategies are also planned for students not making adequate progress.

The literacy program at Blackstone is based on instilling in children a love of reading and a belief that they can succeed as readers. Students are constantly assessed on their reading level, and every child knows exactly what his or her reading level is. Parents understand and are involved in the leveling system. The school also has an incentive system to reward students based on the books they have read.

Fourteen percent of students at Blackstone have individualized education plans to receive special education services. The school operates under an inclusion model. With the exception of one kindergarten

class, there are no self-contained special education classes. The philosophy of Blackstone is to have one set of expectations for all students, including special education, and the school is committed to including special education students in testing where appropriate. On the 1999 Standard of Learning test, 70% of third grade special education students were tested.

The educators, administrators, parents and students of Blackstone Primary have created a true learning community. Strong leadership and constant assessment of their program have already shown positive results. Blackstone Primary is committed to enabling all students to succeed.

Mr. TANCREDO. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The CHAIRMAN pro tempore. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SANDERS:

Page 84, after line 21, insert the following section:

SEC. 518. None of the funds made available in this Act for the Department of Health and Human Services may be used to grant an exclusive or partially exclusive license pursuant to chapter 18 of title 35, United States Code, except in accordance with section 209 of such title (relating to the availability to the public of an invention and its benefits on reasonable terms).

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Vermont (Mr. SANDERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Chairman, I yield myself such time as I may consume.

This is a very simple bipartisan amendment that is cosponsored by the gentleman from California (Mr. ROHR-ABACHER), the gentleman from Oregon (Mr. DEFAZIO), the gentleman from Minnesota (Mr. GUTKNECHT), the gentleman from Wisconsin (Mr. BARRETT), and the gentleman from Maine (Mr. BALDACCI). When I last introduced a version of this amendment in 1996, it received 180 votes. I hope we can win tonight with strong bipartisan support. This amendment is supported by Families USA, the National Council of Senior Citizens, and the Committee to Preserve Social Security and Medicare.

Mr. Chairman, over the years, the taxpayers of this country have contributed billions of dollars to the National Institutes of Health for research into new and important drugs, and that research money has paid off. Between 1955 and 1992, 92 percent of drugs approved by the FDA to treat cancer were researched and developed by the NIH. Today, many of the most widely used drugs in this country dealing with

a variety of illnesses were developed through NIH research, and that is very good news.

The bad news is that, by and large, these drugs which were developed at taxpayer expense were given over to the pharmaceutical industry with no assurance that American consumers would not be charged outrageously high prices.

Mr. Chairman, the pharmaceutical companies constitute the most profitable industry in this country. Yet while their profits soar, millions of Americans cannot afford the prescription drugs they desperately need because of the high prices they are forced to pay. In fact, Americans pay by far the highest prices for prescription drugs than the people of any other country on Earth, and many of these drugs are manufactured right here in the United States and their research was done through taxpayer dollars.

While there are many reasons for the crisis in prescription drug costs in this country today, in this amendment I want to focus on one small part of that problem, and that is, that it is totally unacceptable for the taxpayers of this country to provide billions of dollars through the NIH in research money for the pharmaceutical industry and get nothing in return in terms of lower prices for the products that they help to develop.

Mr. Chairman, the reality is that taxpayers spend billions of dollars for research and development of prescription drugs and they deserve to get a return on that investment in terms of lower prices.

Let me cite some examples. Tamoxifen, a widely prescribed drug for breast cancer, received federally funded research, and NIH sponsored 140 clinical trials to test its efficacy. Yet today the pharmaceutical industry charges women in this country 10 times more than they charge women in Canada for a drug widely developed with U.S. taxpayer support. Many, many other drugs were developed with NIH support: Zovirax; AZT, the primary AIDS drug; Capoten; Platinol. And Prozac, the blockbuster antidepressant, was made possible by the basic NIH-funded research that discovered the brain chemical triggering depression. And on and on it goes.

The reality is, and The New York Times in a front page story made this point, that much of the drug research in this country comes from taxpayer support.

Our amendment requires that the NIH abide by current law and ensure that a company that receives federally owned research or a federally owned drug provide that product to the American public on reasonable terms. This is not a new issue. During the Bush administration, the NIH insisted that cooperative research agreements contain, quote, a reasonable pricing clause that would protect consumers from exorbitant prices of products developed from federally funded research. The NIH several years ago abandoned the clause

under heavy pressure from the pharmaceutical industry.

While a reasonable pricing clause is not the only device that will protect the investment that American taxpayers have made in numerous profitable drugs, this amendment makes clear that Congress will not stand by while NIH turns over valuable research without some evaluation that the price charged to consumers will be reasonable as is required by current law.

Mr. PORTER. Mr. Chairman, if the gentleman will yield, I need to know what amendment he is offering because the amendment we have talks about licensing, and he has just talked about reasonable pricing. I do not know which one he is offering.

Mr. SANDERS. This amendment, Mr. Chairman, is very, very clear.

Mr. Chairman, am I on his time or my own?

Mr. PORTER. The gentleman is still on his at the moment.

Mr. SANDERS. Why does the gentleman not take his own time, if he would.

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

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) claim the time in opposition?

Mr. PORTER. I do, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Illinois is recognized for 5 minutes.

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume.

Let me first say a few things. First, this amendment has gone through about four different iterations, and we are not quite sure which one the gentleman is offering. I have the one in front of me dealing with licensing. That is the correct one.

Mr. SANDERS. Mr. Chairman, if the gentleman will yield, that is correct.

Mr. PORTER. First, I understand the point the gentleman is trying to make. I think the amendment misses the mark. First of all, let me say that we have this wonderful synergy in our country where a great deal of the basic research which provides the foundation for applied research is done through NIH grants and we build this body of knowledge and then our pharmaceutical industry and our biotech industry build on that knowledge to develop products that they take to market. I think that that is a wonderful system that does more to develop the kinds of drugs that help eliminate disease or prevent it than any other place in the world. But what the gentleman's amendment attempts to do, and if I can read it, I would read it this way, it says, "None of the funds made available in this Act for the National Institutes of Health may be used to grant an exclusive or partially exclusive license pursuant to," et cetera, dealing with the licensing of drugs.

The funds that NIH makes for grants are never involved in licensing operations. The licensing is done by the institution subsequent to the completion

of the grant. So that while the gentleman, if this amendment passed, might think he is accomplishing something, I believe that the amendment as written would not hit the mark he is trying to hit. I think under those circumstances, and I know how hard it is to fashion an amendment that is in order on this subject under this bill, but this is really an authorizing matter that the gentleman really ought to address in an authorizing forum and not on an appropriations bill.

□ 1900

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I thank the gentleman from Illinois (Mr. PORTER) for his thoughts, but I respectfully disagree. And here is the bottom line: the bottom line is that as a result of taxpayer-funded support, very important and wonderful drugs are developed. But the problem, Mr. Chairman, is that millions of Americans who paid for the research to develop those drugs cannot afford the product.

I think it is totally responsible for the United States Government to say to the private companies we are giving you important research. But in return, we have to make some guarantees to the public that we are going to serve the public interests in terms of controlling the prices that are charged. I think that that is something that the taxpayers of this country deserve.

Mr. PORTER. Mr. Chairman, reclaiming my time, I understand what the gentleman is trying to do. My point is that this amendment does not do that; that it deals with the grant funds for licensing, and grant funds are not used for licensing. So the amendment will be ineffectual to achieve the ends that the gentleman is seeking to attain, in my judgment; and where this whole discussion belongs is not on an appropriations bill but on an authorizing bill where that subject is in order.

Mr. SANDERS. Reclaiming my time, Mr. Chairman.

Mr. PORTER. It is my time, but I yield to the gentleman.

Mr. SANDERS. I am sorry. I did not mean to interrupt the gentleman.

Mr. PORTER. I yield to the gentleman.

Mr. Chairman, does the gentleman have additional time?

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman from Vermont (Mr. SANDERS) has 30 seconds remaining, the gentleman from Illinois (Mr. PORTER) has the right to close and has 1 minute remaining.

Mr. SANDERS. Mr. Chairman, I ask unanimous consent for an additional minute and yield 1 minute to my friend, the gentleman from California (Mr. ROHRABACHER).

The CHAIRMAN pro tempore. The Chair will entertain a request to grant 1 minute to each side.

Is there objection?

There was no objection.

Mr. SANDERS. Mr. Chairman, I yield 1 minute to my friend, the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, I rise in strong support of this amendment, and let me say that the gentleman from Vermont (Mr. SANDERS) has been trying to propose an amendment of this purpose for several years now. But it seems that every time he proposes it, there is just something wrong with it, that it just is not exactly right.

I do not know about these details about the little loopholes of intricacies of the writing of the bill, but I do know that the fundamental principle he is trying to advocate here is right, and, that is, if a pharmaceutical company takes money from the taxpayers to develop a new drug, they have taken on the taxpayers as a partner; and thus they cannot then turn around and exploit the taxpayers and soak them for all money that they can get out of them because the taxpayer has paid basically for their research and development.

Research and development is the risk that a company takes, and if we are going to pay for that risk, the taxpayers should get something back in return. And fairer prices that are affordable prices is certainly a reasonable assumption for companies that are taking that money.

By the way, let me note, many pharmaceutical companies do not take research and development money; and they should have every right to charge what they want for their product. But in this case, the principle is absolutely sound, whether you are conservative or a liberal or a capitalist or a socialist. The fact is that the people have paid a certain amount of money, they deserve some rights with that money and protecting the consumer at the same time.

Mr. SANDERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman from California (Mr. ROHRABACHER) hit it right on the head and, that is, at a time when millions of Americans cannot afford the outrageously high costs of prescription drugs, they need to know that when their tax dollars went to develop these drugs, that the United States Government is saying to the private drug company they cannot charge anything they want; that they are going to go through the NIH, going to negotiate with you for reasonable prices.

This is nothing more than asking for a fair return for the taxpayers of this country on their investment.

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would say to the gentleman from Vermont (Mr. SANDERS), again, I understand what he is talking about, but I think that it misses the mark. If NIH is working on joint research with a pharmaceutical company in developing a drug, then clearly the NIH shares in the royalties or the profits from that drug.

What the gentleman is talking about is when basic research is done and then that body of knowledge, which is disseminated to everyone and available to all sciences, then picked up by the pharmaceutical industry from which they do research and develop a product that somehow we ought to somehow measure what that contribution is; and the fact is that there it is simply adding to a body of knowledge that is available to all science everywhere. That is the role of NIH research.

This amendment, even if the gentleman's premise was correct, this amendment will not accomplish what he is seeking to do, and it is the wrong place. It should be offered on the authorizing legislation dealing with the subject matter. So I would oppose the amendment and hope Members would not support it.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

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

Mr. PORTER. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from Vermont (Mr. SANDERS) will be postponed.

The point of no quorum is considered withdrawn.

Mr. PORTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Chairman, I thank the gentleman from Illinois for yielding to me.

Mr. Chairman, I want to thank the gentleman from Illinois (Mr. PORTER), the gentleman from Wisconsin (Mr. OBEY), the gentleman from Pennsylvania (Mr. GOODLING) for having some excellent provisions for giving education a priority.

I understand that an amendment that was going to take money out of Even Start and put it into IDEA is now not going to be offered, and I just want to emphasize how important I think that we move ahead with the concept of Even Start. Even Start brings parents in to make sure that parents are part of that encouraging effort.

Just briefly, what happened in Michigan, I put in some appropriations for what we call the HIPY program in Michigan, it is Home Improvement for Preschool Youth, and that program helps teach parents how to react to their kids to help their kids do a better job before they went in school.

What was exciting, it increased the reading comprehension for those children by 80 percent; but even more significant, it increased the reading com-

prehension for the parents by an equal amount. And 60 percent of those parents went on to get their GED.

As we move ahead with Even Start, as we move ahead with Head Start, it is important that we continue to bring parents into the picture to be part of that coordinated effort to encourage better education for their kids.

Mr. PORTER. Mr. Chairman, I yield back the balance of my time.

AMENDMENT NO. 18 OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 18 offered by Mr. OBEY:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____ It is the sense of the House of Representatives that tax reductions for taxpayers in the top 1 percent of income levels should not be enacted until the Congress enacts a universal voluntary prescription drug benefit for all Americans under Medicare.

The CHAIRMAN pro tempore. On this amendment, points of order are reserved.

Pursuant to the order of the House of Thursday, June 8, 2000, the gentleman from Wisconsin (Mr. OBEY) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I simply want to read this amendment: "It is the sense of the House of Representatives that tax reductions for taxpayers in the top 1 percent of income levels should not be enacted until the Congress enacts a universal voluntary prescription drug benefit for all Americans under Medicare."

The fact is, Mr. Chairman, that for the last 18 years we have been digging out from deficits created when Ronald Reagan pushed through a supine Congress legislation which doubled military spending on borrowed money and made very large reductions in tax cuts.

And over the past 18 years, we have been desperate to finally work down these deficits that were built up and this increase in the national debt that was built up.

And now finally after 18 years of deficits, which gave us an excuse, a collective institutional excuse to do diddly for millions of Americans who needed help, we finally have an opportunity to provide some help. This House passed a number of tax bills in the last 2 months.

First of all, we passed a minimum wage bill that gave \$11 billion in benefits to minimum wage workers; but as a price for passing that, it included \$90 billion in tax cuts for people who made over \$300,000 a year.

They just passed an inheritance bill last week which gave \$50 billion per year when fully operative to the wealthiest 2 percent of people in this

country. I observed at the time if we did not do that, we instead could provide a universal prescription drug benefit for every single senior citizen in this country. In fact, we could do it for a lot less than that cost.

In fact, what we could do, if we did not spend that \$50 billion on these folks, we could provide a universal health coverage for every single person in this country that does not have it.

Very simply, I would ask one thing. I have held a number of meetings in my congressional district. I run into senior citizens. I ran into a person just last Saturday, who spent \$24,000 a year on prescription drugs fighting cancer. I talked to another woman who spent over \$6,800 a year. I have talked to doctors who tell me that seniors have to choose between heating and eating, and that they have known many a patient who has decided they would cut their dosage in half because they could not afford to buy their medicine.

Now, this Congress is very good at saying, oh, you should offset your spending increases. What we are asking you to do today in an amendment that we can offer, but which we cannot get a vote on, what we are asking for is to recognize that there are two parts to a budget: what you recognize in revenue and what you spend in expenditures.

We are asking you for a change like the outside world would, where you live in reality to put those two pieces of the budget together, and recognize that what you do on one half has an impact on what you can or cannot do on the other half.

Now, we cannot under the rules of the House get at that action today; and so this is, in essence, a symbolic amendment, because we have no opportunity to offer any other kind. This is a symbolic amendment that says decide who we ought to put first.

Now that we finally have some surpluses and can start meeting some of the Nation's challenges again, decide whether the wealthiest 2 percent of people in this country need that money more than someone who is living on \$16,000 a year on a fixed income. If you have a conscience, the answer is clear. That is why this amendment, though it will not be adopted by this House tonight, should be.

It would be a signal that at long last we are putting the needs of working people and retirees ahead of the economic establishment in this country. There are only 6 percent of the people in this country who contribute to political campaigns; that is why you get \$50 billion a year put here instead of here. And that, I think, is the most disgraceful thing you can say about this session of Congress.

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

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) claim the time in opposition?

Mr. PORTER. Mr. Chairman, I do.

The CHAIRMAN pro tempore. The gentleman from Illinois (Mr. PORTER) is recognized for 15 minutes.

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman from Wisconsin (Mr. OBEY) and everyone on his side of the aisle have stayed very much all the time that we debated this bill on their political point, which they have made over and over and over again. They do not like tax cuts for the wealthy; and if we would only not have put those in the bill, we could do all kinds of things that they would like to do with the money.

Let me say something that I know that they will not like to hear, but I personally do not believe that we should every hear in this Chamber the kind of language that divides us. It is wealthy against working people, over and over and over again in their vernacular; and I do not believe that is what this country stands for or what we believe in.

□ 1915

It is not a crime to work hard and become a wealthy person. In fact, I would say that universally Americans accept the principle that they value the opportunity to do exactly that. That is what they want to do. And I think this divisive language of setting class against class and saying over and over again that it is one group against another is really not what we ought to be engaged in in debate here, ever.

We ought to talk about the principles that we believe in, and the policies that advance those policies. I do not think we believe in class warfare, and I do not think we believe in dividing people by economic means.

We do believe, and I agree with the gentleman, that there are people in this country that are really put to the test as to whether they can afford the drugs that they need even to stay alive, and very clearly there are people that are having to make very difficult decisions in their lives in order to pay for those drugs that they should not have to make.

We ought to have a program to address the needs of those people. We ought not to have a program to provide universal coverage for prescription drugs, because there are lots of people in this country, about two-thirds of the people, the seniors in this country, that have a prescription drug benefit already under their own policies. They can afford it, they do not need the help. But there are certainly people that do.

I believe that this Congress will provide that kind of prescription drug benefit. We will make certain that we are taking care of those people who are put to that tough test and are deeply in need, and we ought to. But I think the language of divisiveness, the language of division, the language that divides people economically is not appropriate, has not been appropriate throughout this debate, and I would hope that we would reject that kind of class warfare.

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

Mr. OBEY. Mr. Chairman, I yield myself 20 seconds.

Mr. Chairman, as far as class warfare is concerned, the fact is that the working class has already lost and the wealthiest 2 percent have already won. The wealthiest 1 percent of people have made so much in additional money over the past 5 years that they now control more of the Nation's wealth than 90 percent of the American people combined. I do not call that class warfare, I call that telling the truth.

Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, we stand accused by the gentleman from Illinois of recognizing reality. The reality is there is a budget. It limits the amount of money we can spend. If you spend on one set of things, you cannot spend for another. That is reality. If in fact you give large tax cuts to people who are very wealthy, you will have less money that you can spend elsewhere.

The gentleman says, "Oh, let's not have class warfare; let's just have the wealthy and the middle class and the working class all get along." It sounds like Woody Allen's statement, "the lion shall lie down with the lamb, but the lamb won't get much sleep." The wealthy and the poor can work together, as long as the poor are prepared to be submissive.

The Republican plan says that you will get some help in paying for prescription drugs, up to 150 percent of poverty, \$16,000 a year. If you are a retired individual making \$20,000, \$25,000, \$28,000 a year and you get hit with a drug bill of four, five or six hundred dollars a month, the Republican position is we cannot afford it.

Now, we say you could afford it if you did not give large tax cuts, and the gentleman says, Oh, that is class warfare. That is not class warfare, that is reality. If you, in fact, decide that Bill Gates should be allowed to pass down to his children all of his money with no taxes, and deprive the revenue base of 20 or 30 billion dollars, and you then say, "but we can't help you if you are making \$20,000 a year," and that is the Republican's plan. We did not make it up. This is not class warfare, this is your plan. One hundred fifty percent of poverty is the level at which you get subsidized.

The gentleman said, We don't need universal coverage under prescription drugs. It is the same argument that said on the part of the Republicans that we did not need Medicare, we did not need universal health care. The fact is if you were making up a health care plan today, you would fully cover prescription drugs. Yes, there are some older people who have private insurance for prescription drugs. They pay unduly for it.

We have a very simple case, and the gentleman apparently objects to our putting it out. The more you do for people at the upper end of the scale, given a limited amount of money, the less you can do for people at the other

end. I am sorry that that makes the gentleman uncomfortable. It does him honor that it makes him uncomfortable, but we did not create this situation. It is the reality that you have brought to the floor with your overall program.

Mr. PORTER. Mr. Chairman, I am pleased to yield 4 minutes to the gentleman from Arkansas (Mr. DICKEY), a very valued member of our subcommittee.

Mr. DICKEY. Mr. Chairman, in 1995, when I was fortunate enough to get on this committee, I asked what subcommittees I would be on and one was called the Subcommittee on Labor, Health and Human Services and Education. I asked people about that committee, and they said this is one time that you can go into deliberations and it will not be political; that there will be people like Louis Stokes on the other side who are just as concerned about poor people, just as concerned about medical needs of people, and just as concerned about all these programs that we have, NIH and all these programs that we have; that is, it is completely nonpartisan.

Well, I am afraid to say that is not true. I would like to point out why and how I can come to that conclusion right now.

We have had a subcommittee process going on here where we have laid out this whole plan, and I think the chairman has done an excellent job, and I believe that the opposition believes the same thing. In the subcommittee there was not one amendment that had a setoff to it, there was not one amendment mentioned. It was an ambush that was being planned, a political ambush, not an ambush in any other fashion or in a constructive way. They were sanitizing themselves and saying no, we are not going to have setoffs, we are not going to match these things. That could either be it was politically motivated, or they really and truly agreed this was a tremendous balance of all the interests in every respect.

Well, we come to the floor now, where we have all the bright lights, all the attention of our Nation on it, and we start talking about a very political issue called tax cuts, money that is not spent, but is withheld by the people who own it when there is a surplus.

These same people have been hollering against tax cuts in every way possible. They first of all said, back in the times when we were talking about trying to reduce the tax burden on the working people of America, they said we want to pay down the debt. Have they said one thing about paying down the debt here? No, they have not, because what they want to do is spend more and spend more and spend more. They want to keep this money in the government coffers so that they can have more control over it and so we can get right back in the same position that we were in when we started this business of balancing the budget and bringing ourselves into some reasonable economic sanity.

So it is very clear. Even the arguments about protecting Social Security, if we did not protect Social Security we could have all this money that they could spend on this part of their agenda. That has happened year after year after year after year, until the conservatives took control of Congress and took the hard hits and said no, we are not going to borrow money from Social Security to satisfy your spending addiction.

It is sad to me that we have this circumstance here and that this committee is being used for that purpose. It is a setup. The people of America should understand that, the people on both sides of the aisle should understand it, that when we have somebody like Jim Kelly, the Buffalo Bills quarterback, and his wife coming before our committee and telling about their small son, Hunter, and his disease, we should not be talking about politics. We should be talking about gigantic needs.

When we look at what we can do in curing diseases across the globe, we should not be talking about politics, we should be talking about doing what is right. When we are talking about education and helping the people who have missed their opportunities, who do not have a pattern, a generational pattern for them to follow, we should not be talking about politics, we should be talking about what is right.

So I would say we ought to reject this idea of these tax cuts being a factor in this discussion. Those discussions are nothing but political. We are not being constructive, and I agree with the chairman, we are not gaining anything, and we are doing a disservice to our country and to all of these causes that we are trying to serve in this committee by continuing this harangue time after time after time.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the other distinguished gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Chairman, I strongly support the Obey amendment. The Republican leadership wants America to believe that adding a prescription drug benefit to Medicare is one of their top priorities. That simply is untrue. They have done nothing to seriously address prescription drug prices for citizens. Many of the 13 million senior citizens who have no insurance coverage for prescription drugs are forced to choose between food and medicine, yet the Republican leadership has just pushed a \$200 billion tax giveaway for the super rich through the House.

More than half of their reckless tax giveaway is available to only a few thousand of the wealthiest families out of more than 60 million families in America. We should put an end to these giveaways until Congress enacts a universal voluntary prescription drug benefit for all Americans who are eligible for Medicare.

Senior citizens' lives are at risk when they cannot afford prescription drugs

that they need, yet pharmaceutical companies and their lobbying machine have kept this Congress from enacting a prescription drug benefit.

But, Mr. Chairman, this debate does tell America what Republican priorities really are: Tax cuts for the super-rich, a few, before prescription drugs for the 13 million American senior citizens who cannot afford either the out-of-pocket costs or the insurance for drug coverage.

It is the Republican majority who have created the so-called class warfare that the gentleman from Illinois speaks about. They have put the comfort of the very wealthy over the needs of ordinary citizens. We must begin responding to the needs of all Americans, not just the super-rich.

Mr. Chairman, I urge a vote for this amendment and against this totally inadequate bill.

Mr. PORTER. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, do I understand the gentleman correctly that he wants a universal prescription drug benefit?

Mr. OLVER. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Massachusetts.

Mr. OLVER. Mr. Chairman, a universal voluntary prescription drug benefit under Medicare.

Mr. PORTER. That would therefore provide a prescription drug benefit for these very wealthy people that the gentleman just described?

Mr. OLVER. Voluntary.

Mr. PORTER. Who do not need it.

Mr. OLVER. If they do not want it, they do not have to take it.

Mr. PORTER. It is always voluntary, of course.

Mr. OLVER. If they have a better plan, surely they will keep the plan they have, rather than take a plan which is inferior, if they have a better plan.

Mr. PORTER. We just want to get the government into this business directly and provide for all those people, even though they do not need it.

Mr. OLVER. It is voluntary, and it is one that anybody who has a better plan should keep their better plan.

Mr. PORTER. Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I want to thank our ranking member, the gentleman from Wisconsin (Mr. OBEY), for his tireless efforts on behalf of hard-working, middle-class families. He has been an important voice for common sense in this debate.

The Obey amendment is an attempt to bring some of his common sense to this legislation, to help it to be able to reflect the priorities of the American people. It says, very simply, let us provide a prescription drug benefit for all of America's seniors, before, in fact, we enact a tax cut for the wealthiest 1 percent of Americans.

Sixty percent of our seniors on Medicare lack good, affordable coverage. The nearly 12 million seniors who have no prescription drug coverage need our help. If all of senior citizens are covered, then we will see the prices drop on prescription drugs.

More than one in eight seniors are faced with an awful choice of paying for food and shelter or buying the prescription drugs that they simply cannot live without. In a time of unprecedented prosperity, the Republican leadership is telling these seniors that providing a tax cut to that wealthiest 1 percent of Americans is a higher priority than helping seniors afford prescription drugs.

They have given a lot of lip service to the need for a Medicare prescription drug benefit, but the fact is, Republicans still do not have a plan to provide a voluntary prescription drug benefit that covers all of America's seniors, no matter where they live.

□ 1930

They want to do this through private insurance companies who quite frankly have said their plan is absurd.

This amendment says that the Republican leadership needs to get back in touch with the values of the American people and provide prescription drug coverage to all of America's seniors before we pass those tax breaks for that wealthiest 1 percent. Those are the priorities of the American people. They should be our priorities.

I urge my colleagues to support the Obey amendment.

Mr. PORTER. Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN pro tempore (Mr. PEASE). The gentleman from Wisconsin (Mr. OBEY) is recognized for 3½ minutes.

Mr. OBEY. Mr. Chairman, I am a practicing politician, just like everyone else in this institution, so I would plead fully guilty, I would like to vote for a lot of tax cuts for my constituents. But I think I have some differences from some of my friends on the Republican side of the aisle. I want tax cuts that are aimed, for instance, at small businessmen so they can help provide health insurance for their employees.

I know what it is like to run a small business on a 1 percent or 2 percent profit. I do not want tax cuts that provide 73 percent of their benefits to the wealthiest 1 or 2 percent of the people in this country. I have nothing against those folks, but when we give 73 percent of the tax benefits to the very wealthiest 1 or 2 percent, we do indeed precipitate class warfare, and Members cannot object when the average working family asks their representatives to fight back.

I also do not want tax cuts that are so large that they get in the way of our protecting Medicare and Social Security, and that require the kind of reductions from the President's budget

that this bill has in education, that it has in health care, that it has in the National Science Foundation, that it has in a range of other programs that help build this country.

Mr. Chairman, we are the strong country we are today because we have always tried to be in everything together. We have tried to sacrifice together in wars and prosper together in peace. The problem is that today, in many places in this country that is not happening.

What we are saying is very simple: Yes, we want a universal health insurance plan for prescription drugs, a voluntary plan. The reason they have never been able, on that side of the aisle, the reason they have never been able to put a dent in Social Security, the reason they have never been able to wipe out Medicare, as their earlier leadership said they wanted to do, is because they provide universal benefits, regardless of income, so all levels of this society recognize they are in it together when it comes to those programs, so people at all levels of income defend those programs.

I make no apology for wanting to apply the same logic to prescription drugs. There is nothing wrong with asking Members to delay the tax cuts Members are giving to the wealthiest 2 percent of people in this country until they provide a prescription drug benefit for people who need it.

There is nothing wrong with pointing out time and time again that all they have to do to be able to avoid all of the cuts from the President's budget that they have in education, in health care, and child care, and everything else, is to simply cut by 20 percent the size of the tax cut that they are providing in the five tax cut bills they have put through this House so far.

It is true, our procedures do not allow us to directly join this issue tonight by way of votes, so all we can do is join it rhetorically. If those are the only tools that we have, then pardon me for making the best use of them that we know how. I make no apologies for it.

This amendment is the right thing to do if Members believe in a just society.

Mr. PORTER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I would just say to the gentleman from Wisconsin that this entire debate has attempted to focus on tax cuts, and of course there are no tax cuts on the table here whatsoever.

In addition, I would say to the gentleman that he knows very well, and everybody on his side of the aisle knows very well, that there are no tax cuts of the type he describes on the table anywhere, because the President of the United States has said he would veto those tax cuts. That is not in play. It has not been in play at any time.

We on our side have to abide by the budget resolution. It is easy to talk about adding money for this program or that program, and to simply say, we are not going to take any responsi-

bility for it. We can add whatever number we want, because we are not bound by the budget resolution.

I am sorry, we are bound by the budget resolution. We have to live within the allocation we are given. We have to act responsibly. We have to figure out the best priorities for our country.

I would say to the gentleman on the other side of the aisle, the gentleman, they have had ample opportunity to adjust those priorities if they do not agree with them by moving money from one account to another. They have not offered one single amendment to do that. All they want to do is add spending to the bill and breach the budget allocation that the subcommittee has been given.

That is why every one of these amendments are out of order and will not stand. They have simply used this as a political exercise to express the kind of statements that have been made over and over again about tax cuts. They are irrelevant to this process. They would be vetoed by the President anyway. The whole thing is simply a political exercise.

I would simply say that I think we have wasted a lot of time in this exercise that could be spent productively in legislating.

Mr. Chairman, I yield back the balance of my time.

POINT OF ORDER

The CHAIRMAN pro tempore. Does the gentleman from Illinois insist on the point of order?

Mr. PORTER. Mr. Chairman, I make a point of order on this amendment because it proposes to change an existing law and constitutes legislation in an appropriation bill, and therefore violates clause 2 of rule XXI.

The rule states, in pertinent part, "An amendment to a general appropriation bill shall not be in order if changing existing law * * *."

I ask for a ruling from the Chair.

The CHAIRMAN pro tempore. Does the gentleman from Wisconsin (Mr. OBEY) wish to be heard on the point of order?

Mr. OBEY. Mr. Chairman, I do, for the reasons that I cited in my previous remarks.

I recognize that the rules of the House do not allow us to get a vote on this amendment. That does not mean the amendment is not correct.

Obviously, under the rules we are operating under it is not in order, so I concede the point of order.

The CHAIRMAN pro tempore. The gentleman from Wisconsin concedes the point of order. The point of order is sustained.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, before we move to the final amendments on this bill, I know the gentleman from Pennsylvania (Mr. TRAFICANT) has one and I know the gentlewoman from Connecticut (Ms. DELAURO) has one and the chairman of the committee has one, but I simply want to take this time, in spite of the

heat of the debate that we sometimes had, to take a moment to do honor to the man who is chairing this subcommittee as we consider this legislation for the last time under his stewardship.

Mr. Chairman, I have known the gentleman from Illinois (Mr. PORTER) for a long time now. I have never seen a day when I have thought that he did not act out of absolute patriotism and out of an absolute dedication to what he believes is good for this country.

I deeply believe that being a politician, and I am proud of it, I deeply believe that being a politician or public servant is one of the highest callings that one could have. In a democracy, I know of no higher calling except to be a minister, a rabbi, or a priest.

I think the gentleman from Illinois (Mr. PORTER) with all of the differences we have had on this bill, I think the gentleman from Illinois has in all ways, as long as I have known him, done honor to his constituency, done honor to his State, done honor to his party, done honor to this institution, and above all, has done honor, great honor, to the country that he has so ably served.

I will regret seeing him leave. I will miss him personally. I will miss him professionally. I think that the differences that he and I have had on this bill prove that when two people agree on everything one of them is unnecessary, so we have disagreed often today. We each have our roles to play. But public service loses something very precious when it loses people like the gentleman from Illinois (Mr. PORTER).

I simply want to say that whether the issue has been health or education or welfare, or whether the issue has been the foreign policy interests of the United States, the gentleman has always, in my view, been a credit to this institution and a credit to himself.

I think honestly he has deserved a better cut of the deck than he has gotten, because if we had a realistic budget situation in which we were operating, I think he could produce legislation which is far more in line with what I know his instincts to be and what his concerns to be.

I simply, if I were wearing a hat, would take it off to the gentleman, because he has been an exemplary public servant for as long as I have known him.

Mr. PORTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I cannot tell the gentleman how much I appreciate those very, very kind and generous words. I have served in this body for 21 years, almost, and I have loved every minute of my service. I have loved the relationship that I have had with Members on both sides of the aisle.

I believe we lose a lot when we lose the collegiality of working together for our country. Too often we get involved in partisan bickering and partisan debate, instead of finding the common ground that we need to move this country ahead.

I particularly value my relation with the gentleman from Wisconsin. He has been steady and strong and articulate in his beliefs about policy for our country. He has been a man of great integrity. Yes, he is difficult to deal with at times, and he recognizes that himself, but he fights for what he believes in, and I respect that greatly.

I am going to miss greatly this body, and I am going to miss the relationships with Members. I am going to miss this kind of give and take on the floor and the processes of democracy, where we try to find the middle, where we try to find a way of coming together and working out our differences, and we will. We will in this bill, we will throughout the process. We will win some and lose some on both sides, but it will work for us.

I say to the gentleman from Wisconsin (Mr. OBEY) that I very much agree that we need to help our young people to understand that public service is a very, very honorable profession; that we can follow our ideals and work for the things we believe in and maybe make a difference in the results, if we want to get in and do that.

I think too often, if I may say so, too often we have a media that focuses on all the negatives. They do not recognize the hundreds and hundreds, 99 percent of this body or 100 percent, who are caring people: who care about their country, who work for the things they believe in, who work with others. They always look only at the negatives.

The American people need to know that this is a body of very able, caring people who work for this country, who work for their constituents, who sacrifice a great deal to make things work and make a difference in public policy. That message is not conveyed sufficiently.

I thank the gentleman for his kind words. It has been a real privilege to work with him all this year, and I consider him a very, very close and dear friend.

AMENDMENT NO. 201 OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 201 offered by Mr. TRAFICANT:

At the end of the bill add the following new section:

MINIMUM WAGE

SEC. 104. Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

“(1) except as otherwise provided in this section, not less than—

“(A) \$5.15 an hour beginning September 1, 1997,

“(B) \$5.65 an hour during the year beginning April 1, 2000, and

“(C) \$6.15 an hour beginning April 1, 2001;”.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Ohio (Mr. TRAFICANT) and a Member opposed each will control 5 minutes.

Mr. PORTER. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN pro tempore. The gentleman from Illinois reserves a point of order on the amendment.

The gentleman from Ohio (Mr. TRAFICANT) is recognized.

Mr. TRAFICANT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to commend the gentleman from Wisconsin (Mr. OBEY.) There is not a tougher bulldog on our side, and I think at some point everybody gets mad at him, but I do not think anybody could have made a better statement in tribute to the contributions of the gentleman from Illinois (Mr. PORTER). I commend the gentleman.

□ 1945

I was about to do that, and I will let the great words of the gentleman from Wisconsin (Mr. OBEY) speak for themselves, except to thank the gentleman from Illinois (Mr. PORTER) for all he has done for America.

I want to commend also the gentleman from Florida (Mr. YOUNG). There is some talk of me even appealing the ruling of the Chair. I know this is legislation on an appropriation bill, but my people need it desperately.

I am going to ask the Republican leadership to allow for an up/down, clean vote at some point in the Congress on the Traficant bill to raise the minimum wage \$1.00 over 2 years.

Again, I would thank the gentleman from Wisconsin (Mr. OBEY) for fighting so hard for what we believe in. I thank him for the words he put together for the gentleman from Illinois (Mr. PORTER). He really deserves them. He is a great guy, and I wish the chairman the greatest.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN pro tempore. The amendment is withdrawn.

AMENDMENT NO. 10 OFFERED BY MS. DELAURO

Ms. DELAURO. Mr. Chairman, I offer amendment No. 10 by the gentleman from Wisconsin (Mr. OBEY), as his designee.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Ms. DELAURO:

Page 20, line 11, after the first dollar amount, insert the following: “(increased by \$244,000,000)”.

Page 33, line 19, after the dollar amount, insert the following: “(increased by \$36,000,000)”.

Page 34, strike the proviso beginning on line 16.

Page 40, line 25, after the dollar amount, insert the following: “(increased by \$175,000,000), of which not less than \$125,000,000 shall be for an expanded focus on

respite and other assistance for families of vulnerable elderly, as authorized by section 341 of the Older Americans Act of 1965”.

Page 72, line 21, after the dollar amount, insert the following: “(increased by \$156,000,000)”.

Page 73, line 19, after the dollar amount, insert the following: “(increased by \$156,000,000)”.

The CHAIRMAN pro tempore. On this amendment, points of order are reserved.

Pursuant to the order of the House of Thursday, June 8, 2000, the gentleman from Connecticut (Ms. DELAURO) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me just say to the chairman of the subcommittee, the gentleman from Illinois (Mr. PORTER), that he does this House honor though we have disagreements and we disagree on this piece of legislation. It is an honor to serve with him in this body.

Mr. Chairman, this amendment addresses glaring insufficiencies in this bill in protecting the health and the welfare of America's seniors. It increases funding for the HCFA nursing home initiative, the Medicare integrity program, family caregivers, Meals on Wheels, the Social Security Administration, community health centers and health care for uninsured workers.

It provides \$661 million in needed funding for seniors and for middle-class families. These needs will go unaddressed in this bill because of misplaced priorities of the Republican leadership.

There was a lot of talk today about the need for offsets in order to pay for the vital needs for seniors, our schools, and health research. I have the offset right here, the one we ought to focus on, and that, in fact, is to scale back that massive tax cut that is wanted and that benefits the wealthiest 1 percent of Americans, and then we can meet the need of seniors and still be able to provide tax relief for working middle-class families.

Provide those tax breaks for working families. Scale back the enormity of the tax cut, and we will have the offsets that we need to be able to do something for the families in this country.

Unfortunately, my colleagues on the other side of the aisle have rejected this type of a balanced approach, and just let me say who will not be served because of this misplaced leadership. Family caregivers, today over 5 million Americans, 3 to 4 million of whom are seniors, are able to remain in their homes during an illness because of the services provided to them by family caregivers. These family members face the stress of caring for a frail and ill senior while still struggling to look after the rest of their families. Many still work full time while providing

care that allows their parent to maintain their dignity. This bill cuts \$125 million from this program.

Second, Meals on Wheels, we have all been the witness of the benefit of the Meals on Wheels program. It provides vital nutrition to low-income seniors, helps them again to stay in their homes and in their communities. We could have provided an additional 75,000 low-income seniors with this important help if this amendment would pass, if we could add \$50 million to the program. Rejecting the amendment means that these seniors will go without. Many of them will not be able to maintain their independence and remain in their homes because they will not receive the service of Meals on Wheels.

Nursing home initiative, with a helping hand many seniors can maintain their independence. Too many people my age have to face the awful choice of finding a nursing home that will provide around-the-clock care for a parent who can no longer live on their own. We have all seen the horror stories about homes that fail our seniors.

Most recently in today's papers, in New York, have talked about the inadequate care and actually the violation of seniors' human rights in some of these institutions.

One in every four nursing homes puts their patients at an unnecessary risk for death or injury. It is simply unacceptable that the greatest generation is being put at risk by the generation that followed them. We could have protected these seniors by funding a \$38 million nursing home initiative that would have insured quality nursing home care for 1.6 million seniors.

Funds for Medicare fraud and Social Security, the amendment funds efforts to protect Medicare, ensure that Social Security serves our seniors. By funding the Medicare integrity program, we can fight waste, fraud, and abuse in the Medicare system and return dollars that are so needed for the program. Every dollar invested in this fraud-fighting initiative means that we can return \$17 to Medicare that would be lost to fraud and abuse.

Support of this program would save Medicare \$850 million.

The Social Security Administration, the amendment would also ensure that the Social Security Administration could improve their services for seniors and reduce the waiting time for claims and requests.

Supporting the amendment would have made a real difference for seniors. Unfortunately, we will not be able to properly fund these critical needs or many of the other initiatives that are grossly underfunded in this bill today, because the Republican leadership has insisted on providing tax breaks for the wealthiest 1 percent of Americans.

We can keep the tax relief for middle-class families. They need it. Scale back the tax break for the top 1 percent, the wealthiest of the wealthy, and we can invest in these important initiatives.

I think that most Americans would make this trade-off. If we cannot find the funds for these vital needs, we should resoundingly reject this legislation. It betrays American seniors, fails to live up to the values that they have passed on to all of us.

I heard the chairman of the Committee on Rules refer to this bill as progress. If this is progress, then the future Republicans envision is not one that respects the contribution of America's seniors and that maintains their values. Oppose this misguided bill.

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) seek to claim the time in opposition?

Mr. PORTER. I do, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Illinois (Mr. PORTER) is recognized for 15 minutes.

Mr. PORTER. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the gentlewoman would increase funding for the Social Security Administration in spite of the fact that the bill increases the account by \$400 million.

I would say this: If I, like the gentlewoman, were not constrained by a budget allocation, I would attempt to do more in this account. It is obviously a very important one.

She would increase community health centers above our level, which is, in turn, above the President. I would say to the gentlewoman, this is an account that we have increased above the President every year for the last 5 years. This is a high priority for us. We have increased it this year above the President but, again, when one does not have any budget constraints I guess it is very easy to increase it to any level they want.

With respect to Meals on Wheels, we fund that at the request level which the gentlewoman would increase by \$50 million over the President's request. Now I would say to the gentlewoman that I do not think that we have done as good a job as we should do in respect to some of the senior programs, but I would also say to the gentlewoman neither has the President.

Generally speaking, when we meet the President's requests in a program like this we feel that we have done a great deal when we have budget constraints, but I would also say that in the future, as more resources become available, we need to do a better job with Meals on Wheels and others in this area.

With respect to the nursing home initiative, the administration asks us to enact a user fee which has, as he well knows, the President well knows, essentially no support. We have not included the funds as a result of this proposed fee. Otherwise we carry this fund at the request level.

On health care access for the uninsured, this is a program that is not authorized. The administration requested funding for it in last year's budget request under the Office of the Secretary.

The committee did not approve initial funding, but in conference the administration requested that \$25 million for a community access program be provided under HRSA using the demonstration authority.

The budget request for this year proposes to increase this demonstration to \$125 million. Unfortunately, the program is still not authorized.

The Secretary envisions this program to reach \$1 billion over 5 years. The committee believes that it should be acted upon by the authorizing committees of jurisdiction prior to any appropriation being made for it. Again, if one is not limited by any constraints, it is easy to put money into accounts; it is easy to put money into programs that are not authorized.

We cannot do that.

So I would simply say to the gentlewoman, while she makes some valid points about the priority of some of these programs, and they ought to be addressed, that particularly in reference to the community health centers which we consider a very high priority and which we have always funded above the President, this is a misguided amendment. Again, she is not bound by any budget constraints. She just pours money in, and says we ought to spend more.

That is easy to say. It is more difficult to live within some constraints and live within fiscal responsibility. I oppose the gentlewoman's amendment.

Ms. DELAURO. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I want to just reiterate what I said earlier, that the President of the United States is not offering this amendment. I am offering this amendment, and we, in fact, have 3 coequal branches of government. The President may have made a request, but I believe that we need to increase the dollar amount for several of these programs.

Secondly, the constraints that have been put on the budget are irresponsible restraints because they reflect the priority of the Republican leadership. They reflect truly the values and the priorities of the Republican leadership, which says let us provide a tax cut to the 1 percent of the wealthiest people in this country, and when one places that constraint on the budget as an albatross, then all of those programs are held captive that, in fact, would benefit working families, seniors and the most precious commodity, our children.

Mr. Chairman, I yield 2½ minutes to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Chairman, I rise in support of the DeLauro amendment. It addresses some of this bill's most serious deficiencies in protecting the health and welfare of seniors and other vulnerable populations.

I recognize that the persons across the aisle are arguing there is no money for this; that the President did ask for this so we should not give any more

money, but what I want to say to the folks on the other side of the aisle is tell some of the people back in my district, who have been the working poor for years, that this government has no money for the senior citizens who use senior citizen facilities across this country.

Let me make it personal for a few moments. Let me tell the story of my mother-in-law, Ruby Jones, who is 79 years old, who was taking care of her husband in her home.

□ 2000

As a result of her work and taking care of her husband, who has congestive heart failure, she developed a stroke. She has been in a coma for 4 years and in need of home health care in her home. My sister-in-law, now the caregiver, who works full-time as a pharmacist, is caring both for her father and mother in her home.

This amendment will provide additional dollars to caregivers who are providing services in their homes. Being a caregiver is not an easy task. Over half of them are over the age of 65. Most of them are women. One-third of them have full-time jobs.

Help for caregivers is needed now more than ever. The population age 85 and over will continue to grow faster than any other age, increasing by 50 percent from 1996 to 2010. Research has shown that caregiving exacts a heavy emotional, physical, and financial toll.

Therefore, support provided to informal caregivers significantly benefits them. The other day I visited a facility in my district called Concordia Health Care. It is a PACE program. At Concordia, there are women there who are 80 to 85 years old, and their families have been caring for them in their home. But this is a day care facility for senior citizens. It is remarkable because most of these women would be stuck in their homes all day if it were not for the dollars that are provided for senior care.

So I support the amendment. I believe it provides for the working poor. These are our senior citizens who have worked all of their lives, and we cannot turn our backs on them now. I support the amendment.

Ms. DELAURO. Mr. Chairman, may I inquire how much time is remaining.

The CHAIRMAN pro tempore (Mr. PEASE). The gentlewoman from Connecticut (Ms. DELAURO) has 5½ minutes remaining. The gentleman from Illinois (Mr. PORTER) has 11 minutes remaining.

Mr. PORTER. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Pennsylvania (Mr. GOODLING), the chairman of the authorizing committee.

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

Mr. GOODLING. Mr. Chairman, the gentlewoman from Connecticut (Ms. DELAURO) sets aside an additional \$125 million for section 341 (Part D—In-

Home Services for Frail Older Individuals) of the Older Americans Act, and of course, therefore, is authorizing on an appropriation bill.

Now, I will be the first to admit that I am very disappointed that I have not been able to bring the Older Americans Act to the floor. I have not been able to reauthorize it. My colleagues on that side have just as much responsibility for that not happening as some on my side. My colleagues have to understand the Older Americans Act in the first place.

How 10 groups, 10 organizations got their fingers on all that money, I will never know. But that is the way it was passed. But what the law said when it was passed is that 55 percent of the money would go back to the States, 45 percent of the money would stay in Washington for the lobbyists here in Washington.

Unfortunately, the other body has not followed that law. The House has always appropriated properly. The other body has appropriated 75 percent for those lobbyists in Washington and 25 percent for those who really need it back in my colleagues' districts and my district.

We came up with a bipartisan bill, moved it out of committee. Again, those Washington lobbyists got to my colleagues' side of the aisle, got to my side of the aisle; and therefore we again do not have a reauthorization of the Older Americans Act.

H.R. 782 would do everything the gentlewoman from Connecticut (Ms. DELAURO) would like to do and more. In H.R. 782, we combine two of the programs: the programs of In-Home Services for Frail Older Individuals and Assistance for Caregivers into a family caregiver program.

Now, what does that program offer? That program provides services for counseling, for training, for support groups, for respite care, for informational assistance and supplemental services for the frail elderly and their families.

The gentlewoman needs to talk to her side, as I need to talk to my side. It is time we buck the Washington, D.C., lobbyists that get their hands on most of this money. It is about time we get it back to those States and back to the people in need.

But I need my colleagues' help on their side just as much on our side if that authorization level is to get here. As I said, it came out of committee in a bipartisan fashion. It is authorized out of committee. You get it to the floor. Then you get the other body to act. And we will not only do what the gentlewoman from Connecticut (Ms. DELAURO) wants to do, but much, much more for senior citizens in need in this country.

Ms. DELAURO. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I am surprised that the gentleman from Pennsylvania (Mr. GOODLING) does not know this, because the gentleman is a student of these

matters. The fact of the matter is, on page 324 of this document: "However, funding for the President's initiative does not require final passage of the authorization of the Older Americans Act. States can provide services to family caregivers under existing provisions of title III (Part D) of the Older Americans Act."

So, in fact, this has been authorized under an existing authority already.

Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the gentlewoman from Connecticut (Ms. DELAURO) for yielding and for her outstanding leadership in bringing this amendment to the floor.

This amendment is about addressing misplaced priorities of this committee and this Congress. It attempts to repair the damage this bill does to initiatives that protect the health and welfare of seniors and other vulnerable populations.

This amendment is necessary for a simple reason. The Republican majority is more focused on providing a trillion-dollar tax cut that largely benefits the wealthiest Americans than on providing needed funding for the neediest Americans.

The DeLauro amendment is necessary because it provides an additional \$119 million increase to the community health centers above the House level to provide affordable care to the uninsured and underinsured.

I think every Member of this House respects the work of the community health centers, because nearly one in five working adults lack health insurance, and half the working Americans with incomes less than \$20,000 could not pay their medical bills last year.

Poverty, homelessness, poor living conditions, geographical isolation, lack of doctors, and lack of health insurance pose insurmountable access problems for many people at higher risk for serious and costly health conditions.

Community health centers address these access problems through the delivery of comprehensive primary and preventive services, the type of services not typically offered by traditional private sector providers to at-risk people. Health centers do it cost effectively. Health centers focus on wellness and early prevention.

At a time of great economic prosperity, we must not forget those who are not enjoying good financial times, those who do not have the health coverage for themselves or their families. The community health centers fill a need we cannot ignore.

As I said earlier in the day, if we would cut the budget, cut the tax break for the wealthiest Americans by just 20 percent, it would afford us the \$2.5 billion to address the initiatives put forth in these amendments.

Unfortunately, the Republican budget resolution passed by the House created a framework for failure. We are trying to redress those failures in this amendment.

The CHAIRMAN pro tempore. The gentlewoman from Connecticut (Ms. DELAURO) has 3 minutes remaining, and the gentleman from Illinois (Mr. PORTER) has the right to close.

Ms. DELAURO. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, this amendment tries to do a lot of good things. One of the most important things is that it tries to add back \$38 million to correct the fact that this bill cuts 95 percent of the funding for the administration's nursing home initiative, which is aimed at strengthening the protection of our senior citizens in nursing homes. The General Accounting Office has said that there are one in four nursing homes in this country that has serious deficiencies. I think we ought to do our best to correct that, and this amendment does.

I do not know how many have ever worked in a nursing home. I worked an entire summer in an institution when I was a young teenager that dealt with people in need of nursing home care and also dealt with people in need of care because of mental and emotional problems. It was not a pleasant job. It is a tough job.

Nursing homes that are trying to do right by their citizens need to be backed up by the Government who will keep those who are not quite so fastidious towing the line, because otherwise it makes it impossible for the nursing homes who we are trying to tow the line to do so.

I think it is a disgrace that we do not fund their money. I also think it should be on notice that this amendment restores money that fights Medicare fraud. It restores money to try to shorten the delays that people have when they apply for Social Security disability. A woman came up to me 2 weeks ago who was facing the loss of her house because she could not get a hearing fast enough on her Social Security disability claim.

There are real people behind this amendment and real needs that we are trying to fill with this amendment.

I congratulate the gentlewoman from Connecticut (Ms. DELAURO) for trying. I would urge a vote for this amendment if we have the opportunity to get a vote.

Ms. DELAURO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me just continue where my colleague left off on the \$38 million for a nursing home initiative that would provide quality nursing home care, because we do know the horror stories.

Today's New York Daily News, "Nursing Home Horror, Queens facility abused elderly residents, Feds say." "Elderly face mental and physical abuse."

Line after line of the most vulnerable citizens in a place in which they are unprotected, and their rights and their dignity are taken away from them.

We have an opportunity with this amendment, with this bill, which fo-

cuses in on the lives of people in this country to take \$38 million and provide additional nursing home care, quality care so that, in fact, we do not have to read stories like this in the newspapers.

Cut back the tax cut to 20 percent. Give us the \$2.5 billion for these amendments that are going to make a difference in the lives of the American people.

POINT OF ORDER

The CHAIRMAN pro tempore. Does the gentleman from Illinois (Mr. PORTER) insist on a point of order?

Mr. PORTER. Mr. Chairman, I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed a suballocation of budget totals for fiscal year 2001 on June 8, 2000, (House Report 106-660). This amendment would provide new budget authority in excess of the subcommittee suballocation made under section 302(b) and is not permitted under section 302(f) of the act.

I ask for a ruling from the Chair.

The CHAIRMAN pro tempore. Does the gentlewoman from Connecticut (Ms. DELAURO) wish to be heard on the point of order?

Ms. DELAURO. Yes, Mr. Chairman. I think that we understand that the rules of the House restrain us on this matter, and it is unfortunate. If there had been a vote on this issue, I believe we would have prevailed. I concede the point of order.

The CHAIRMAN pro tempore. The point of order is conceded, and the point of order is sustained.

AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA

Mr. YOUNG of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. YOUNG of Florida:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____ Each amount appropriated or otherwise made available by this Act for fiscal year 2001 that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced to 0.617 percent.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Monday, June 12, 2000, the gentleman from Florida (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, I would explain briefly that the amendment reduces all discretionary budget authority provided in this bill by 0.617 percent. I do not want to offer this amendment, Mr. Chairman; but it is essential and necessary

that I do. It is the only fair and reasonable way to address the problem that was created when the emergency designation in this bill was struck on a point of order.

The emergency designation related to the funding in this bill approved by the subcommittee and the full Committee on Appropriations for the public health and social services emergency fund, and a declaration of emergency was attached to that funding. Now, because a Member on my side of the aisle decided that he did not like that, they struck it on a point of order.

Under the budget rules, removing an emergency designation from a bill, that has the effect of reducing the committee's budget allocation. Thus this bill is \$500 million in budget authority and \$217 million in outlays over its allocation thanks to that point of order. So this has to be fixed. If it is not fixed in this bill, then we would need to reduce the 302(b) allocations for one or more of the other subcommittees that have not yet marked up a bill.

□ 2015

In other words, the allocations for the Commerce, Justice, State, and Judiciary appropriation bill, or the Foreign Operations, Export Financing and Related Programs appropriation bill, or the Treasury, Postal Service, and General Government appropriation bill, or the District of Columbia appropriation bill would have to be cut. We have to make up this \$500 million. This cut is required to remain within our allocation, and they must be found in this bill unless we intend to disrupt all of the other 302(b) allocations.

I would point out that this bill is an increase over last year. There is \$2.7 billion in discretionary funding more than last year's bill. There is \$11.5 billion more in this bill for the mandatory accounts. So this bill has had an increase. But despite that increase, I would really prefer that we allow this emergency declaration to stick with the public health and social services emergency fund. But that has been struck on a point of order, therefore, Mr. Chairman, this amendment is necessary.

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

The CHAIRMAN pro tempore (Mr. PEASE). Does the gentleman from Wisconsin (Mr. OBEY) wish to seek the time in opposition?

Mr. OBEY. Yes, I do, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

Let me explain this amendment, Mr. Chairman. This bill originally contained an emergency designation for funding for the Center for Disease Control to respond to bioterrorism attacks, as only that institution has the capacity to do. The committee designated it as an emergency. But then the organization in the Republican

Caucus known as the CATS objected, and so the Committee on Rules did not protect the emergency designation for that money in the rule.

This amendment, while it is being offered by my friend, the gentleman from Florida (Mr. YOUNG), it really, I suppose, ought to be called the Coburn amendment. Because when the gentleman from Oklahoma (Mr. COBURN) struck the protection on the point of order, it left this bill some \$500 million over its budget ceiling. I would simply suggest that it is too bad that my good friend had to be put in a position to offer this amendment, because I do not think he believes it is good public policy any more than I do.

I would say that there is a group in the majority party caucus which has a highly erratic record on the issue of emergency designations. One week that group rabidly opposes emergency designation for items that are emergencies, such as hurricanes, floods, bioterrorism threats; the next week it supports designating as an emergency funding for a decennial census, which we all know comes every 10 years; and even supports emergency funding for Head Start, a program that has been around since I was a teenager.

I guess I would say that I find it most ironic that even after these cuts are made this bill will still be \$33 million above its allocation in outlays. This is ironic given the fact that all day long we were told by the majority that we could not get a vote on the amendments that we were offering on our side of the aisle because they exceeded the numbers in the budget resolution.

So I would simply point out that this amendment cuts \$54 million from title I, \$40 million from special education, \$52 million from Pell grants, \$4 million from after-school centers, \$6 million from Impact Aid, \$11 million from class-size initiative, \$116 million for the National Institutes of Health, \$35 million from Head Start, \$30 million from job training, \$7 million from community health centers, \$9 million from low-income heating assistance program, and \$6 million from Administration on Aging.

If my colleagues are comfortable with those cuts, vote for it. But I do not think there will be many people on our side of the aisle doing so, because we recognize that there ought to be higher priorities in this country than giving the wealthiest 400 Americans \$200 billion in tax cuts, as the majority decided to do last week.

Mr. YOUNG of Florida. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore. The gentleman from Florida (Mr. YOUNG) has 2½ minutes remaining, the gentleman from Wisconsin (Mr. OBEY) has 1½ minutes remaining, and the gentleman from Wisconsin has the right to close.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of my time, and just let me say again that I

really regret that it is necessary for me to offer this amendment, but it is essential that we pass this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time, and I regret that the chairman has to regret to offer the amendment, too. I think this demonstrates what happens when we are ruled by accountants and when we come to be ruled by process rather than making decisions on the basis of good old-fashioned instinct and judgment.

I think that this amendment recognizes that it is impossible to pass this bill without departing from reality once again, as the majority has been forced to do many times in supporting appropriation bills. If I were in the gentleman's position, I would be as uncomfortable as I know he is right now. But he did not make this problem, the majority party leadership did when they decided to pursue the course that they decided to pursue.

We could have easily passed all these bills with bipartisan majorities if these bills had produced real trade-offs. But, instead, because the majority party leadership has insisted that they put their tax plans above everything else, that has deprived this House of the opportunity to work on a bipartisan basis on all of these appropriation bills. I regret that personally, I regret that professionally, and I most of all regret it because of what it means for the people we are supposed to represent.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Florida (Mr. YOUNG).

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

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, further proceedings on the amendment offered by the gentleman from Florida (Mr. YOUNG) will be postponed.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as the House knows, last night we spent a considerable amount of time in disagreement because this Congress has not voted on this bill in the last 3 years, and this labor, health and education and social services bill represents the major effort of the Congress to meet our national responsibilities in funding the needs of working American families. We wanted to make sure that the debate on this bill occurred not in the dead of night but in the light of day, and we finally reached an agreement under which that would occur.

I insisted at the time that I wanted the debate to occur at the same time that we were going to have the vote on final passage so that the issues would not be disconnected from the vote on final passage. I was told by the majority party leadership staff that they

would assure me of that with one caveat. They said that when the time comes, if we do not think we have the votes to pass the bill, we will have to lay it over and, therefore, would not vote on it tomorrow.

Well, I have now been told that the leadership does not intend to push this bill to passage tonight. If that is the case, then assuming, and I do, good faith on the part of the leadership staff, then it must mean that they do not have the votes at this point for this bill. I would simply say if that is the case, then while the majority party has suggested all day long that they were not comfortable with our constant efforts to drive home the fact that their tax actions have had serious consequences on their ability to meet our responsibilities in the area of education, health and worker training, while they have expressed great discomfort with our efforts to drive that point home every hour, apparently that message has, at least with some members of the majority party caucus, hit home. If it has, then this day's debate has not been a waste of time.

It is clear, even if sufficient Members of the House on the majority side can overcome their rightful concerns about this bill, that this bill is going nowhere because the President has made clear his intention to veto it until the Congress restores the funding they have cut from his budget request for education, for health care, for worker training and the like. So if this bill is not to be put to a final vote, I assume it is because it does not have the votes; and all I can say is, it does not deserve to.

That is not the fault of the gentleman from Illinois handling the bill, but, nonetheless, we do not vote on each other, we vote on the product that we produce, and this product is not in the interest of the American people who we represent.

Mr. PORTER. Mr. Chairman, I move to strike the last word.

I would simply say to the gentleman from Wisconsin that I am afraid his attacks have been ineffectual. The reason we are not voting tonight is because we have a number of Republican absences. They will be back tomorrow, and I think the gentleman will see the result.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Wisconsin.

Mr. OBEY. I would ask, Mr. Chairman, if the gentleman can tell me, when would it be convenient for the majority party to be present so that we can vote on the product?

Mr. PORTER. Perhaps tomorrow.

Mr. OBEY. That would be very nice.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 518, proceedings will now resume on those

amendments on which further proceedings were postponed in the following order: Amendment No. 196 offered by the gentleman from Ohio (Mr. BOEHNER), amendment No. 198 offered by the gentleman from Florida (Mr. STEARNS), part B amendment offered by the gentleman from New Mexico (Mrs. WILSON), amendment offered by the gentleman from Vermont (Mr. SANDERS), and the amendment offered by the gentleman from Florida (Mr. YOUNG).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 196 OFFERED BY MR. BOEHNER

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. BOEHNER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 202, noes 220, not voting 12, as follows:

[Roll No. 265]
AYES—202

Aderholt	Duncan	Kolbe
Archer	Dunn	Kuykendall
Army	Ehlers	LaHood
Bachus	Ehrlich	Largent
Baker	Emerson	Latham
Ballenger	English	LaTourette
Barr	Everett	Lazio
Barrett (NE)	Ewing	Leach
Bartlett	Fletcher	Lewis (KY)
Barton	Foley	Linder
Bass	Fossella	LoBiondo
Bateman	Fowler	Lucas (OK)
Bereuter	Ganske	Manzullo
Biggart	Gekas	McCreary
Bilbray	Gibbons	McHugh
Bilirakis	Gilchrest	McInnis
Bliley	Gilman	McIntosh
Blunt	Goode	McKeon
Boehlert	Goodling	Metcalf
Boehner	Goss	Mica
Bonilla	Graham	Miller (FL)
Bono	Granger	Miller, Gary
Brady (TX)	Green (WI)	Moran (KS)
Bryant	Greenwood	Myrick
Burr	Gutknecht	Nethercutt
Burton	Hansen	Ney
Buyer	Hastings (WA)	Northup
Callahan	Hayes	Norwood
Calvert	Hayworth	Nussle
Camp	Hefley	Ose
Canady	Hergert	Oxley
Cannon	Hilleary	Packard
Castle	Hobson	Paul
Chabot	Hoekstra	Pease
Chambliss	Horn	Peterson (MN)
Chenoweth-Hage	Hostettler	Peterson (PA)
Coble	Houghton	Petri
Coburn	Hulshof	Pickering
Collins	Hunter	Pitts
Combest	Hutchinson	Pombo
Cooksey	Hyde	Porter
Cox	Isakson	Portman
Crane	Istook	Pryce (OH)
Cubin	Jenkins	Quinn
Cunningham	Johnson, Sam	Radanovich
Deal	Jones (NC)	Ramstad
DeLay	Kasich	Regula
Diaz-Balart	Kelly	Reynolds
Dickey	Kingston	Riley
Dreier	Knollenberg	Rogan

Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood

Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas

Thornberry
Thune
Tiahrt
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Weldon (FL)
Weller
Whitfield
Wicker
Wolf
Young (FL)

Goodlatte
McCollum

Pallone
Vento

Vislosky
Watts (OK)

□ 2048

Messrs. TANNER, RANGEL, MARTINEZ and GALLEGLY changed their vote from “aye” to “no.”

Mrs. CUBIN, Mr. LUCAS of Oklahoma, and Mr. PETERSON of Pennsylvania changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. PEASE). Pursuant to House Resolution 518, the Chair announces that it will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 198 OFFERED BY MR. STEARNS

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. STEARNS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 381, noes 41, answered “present” 1, not voting 11, as follows:

[Roll No 266]
AYES—381

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frelighuysen
Frost
Gallegly
Gejdenson
Gephardt
Gonzalez
Gordon

NOES—220

Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hill (MT)
Hilliard
Hinchev
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Klecza
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meeke (FL)
Meeke (NY)
Menendez
Millender
McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella

Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pascarell
Pastor
Payne
Pelosi
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Weygand
Wilson
Wise
Woolsey
Wu
Wynn
Young (AK)

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Army
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggart
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior

Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne

Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah

NOT VOTING—12

Campbell
Cook

Danner
DeMint

Franks (NJ)
Gillmor

Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffl
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Klecza
Klink
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio

Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-
Hefley
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Ose
Oxley
Packard
Pascrell
Pastor
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman

Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (NM)
Upton
Velazquez
Vitter
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wynn
Young (AK)
Young (FL)

McDermott
McGovern
McKinney
Miller, George
Morella
Nadler
Oliver
Owens
Paul
Payne
Pelosi
Rangel
Rivers
Sanchez
Sanders
Serrano
Stark
Towns
Udall (CO)
Waters
Watt (NC)
Woolsey
Wu

Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Portman
Pryce (OH)
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Royce
Salmon
Scarborough
Sensenbrenner
Sessions
Shaw
Shimkus
Shuster
Simpson
Sisisky
Skeen
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sweeney
Talent
Tancredo

Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Upton
Walden
Wamp
Watkins
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

ANSWERED "PRESENT"—1

Blumenauer

NOT VOTING—11

Campbell
Cook
Danner
DeMint
Franks (NJ)
Gillmor
Goodlatte
McCollum
Pallone
Vento
Watts (OK)

□ 2058

Mr. DeFAZIO, Mr. JACKSON of Illinois, Mrs. CLAYTON, Mrs. JONES of Ohio, Mr. WU, and Mr. CONYERS changed their vote from "aye" to "no."

Mr. ROTHMAN changed his vote from "no" to "aye."

Mr. KUCINICH changed his vote from "present" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PART B AMENDMENT OFFERED BY MRS. WILSON

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from New Mexico (Mrs. WILSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 156, noes 267, not voting 11, as follows:

[Roll No. 267]

AYES—156

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Duncan
Barton
Bass
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Burr
Burton
Buyer
Callahan
Camp
Canady
Cannon
Chambliss
Coble
Combest
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeFazio
DeLay
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Everett
Fletcher
Foley
Fowler
Gibbons
Gilchrest
Goode
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Horn
Hostettler
Hulshof
Hunter
Hyde
Istook
Jenkins
Kasich
Kingston
Kolbe
Kuykendall
LaHood
Largent
Latham
Lazio
Lewis (KY)
Linder
Lucas (OK)
Manzullo
Martinez
McCrery
McInnis
McIntosh
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Norwood
Nussle
Ose
Oxley
Packard
Pastor
Pease

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Bateman
Becerra
Bentsen
Berkley
Berman
Berry
Biggart
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Calvert
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coburn
Collins
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly

NOES—267

Ganske
Gejdenson
Gekas
Gephardt
Gilman
Gonzalez
Goodling
Gordon
Green (TX)
Green (WI)
Gutiérrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffl
Hoekstra
Holden
Holt
Hoolley
Houghton
Hoyer
Hutchinson
Inslee
Isakson
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Klecza
Klink
Knollenberg
Kucinich
LaFalce
Lampson
Lantos
Larson
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-
McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Northup
Oberstar
Obey
Oliver
Ortiz
Owens
Pascrell
Paul
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pomeroy
Porter
Price (NC)
Quinn
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Serrano
Shadegg
Shays
Sherman
Sherwood
Shows
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Sununu
Tanner

NOES—41

Baldwin
Bateman
Brown (OH)
Clayton
Conyers
DeFazio
DeGette
Delahunt
Farr
Filner
Frank (MA)
Holt
Hooley
Jackson (IL)
Jones (OH)
Kucinich
Lee
Lofgren

Tauscher Udall (NM) Weldon (PA)
 Thompson (CA) Velazquez
 Thompson (MS) Visclosky
 Thurman Vitter
 Tierney Walsh
 Toomey Waters
 Towns Watt (NC)
 Traficant Waxman
 Turner Weiner
 Udall (CO) Weldon (FL)

NOT VOTING—11

Campbell Franks (NJ) Pallone
 Cook Gillmor Vento
 Danner Goodlatte Watts (OK)
 DeMint McCollum

□ 2104

Ms. MCCARTHY of Missouri changed her vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SANDERS

The CHAIRMAN pro tempore (Mr. PEASE). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont (Mr. SANDERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The CHAIRMAN pro tempore. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 313, noes 109, not voting 12, as follows:

[Roll No. 268]

AYES—313

Abercrombie Carson Evans
 Ackerman Chabot Everett
 Aderholt Chambliss Ewing
 Allen Chenoweth-Hage Fattah
 Andrews Clay Filner
 Baca Clayton Fletcher
 Bachus Clement Foley
 Baird Clyburn Forbes
 Baldacci Coble Ford
 Baldwin Coburn Fossella
 Barcia Collins Frank (MA)
 Barr Condit Frost
 Barrett (WI) Conyers Gallegly
 Bartlett Costello Barton
 Bass Coyne Gejdenson
 Becerra Cramer Gekas
 Berkley Crowley Gephart
 Berman Cummings Gilchrest
 Berry Davis (FL) Gilman
 Bilbray Davis (IL) Goode
 Bilirakis Davis (VA) Goodling
 Bishop Deal Gordon
 Blagojevich DeFazio Goss
 Blumenauer DeGette Graham
 Boehlert Delahunt Green (TX)
 Bonior DeLauro Green (WI)
 Bono Deutsch Gutierrez
 Borski Diaz-Balart Gutknecht
 Boswell Dickey Hall (OH)
 Boucher Dicks Hall (TX)
 Boyd Dingell Hastings (FL)
 Brady (PA) Dixon Hayes
 Brown (FL) Doggett Hefley
 Brown (OH) Doolittle Herger
 Bryant Doyle Hill (IN)
 Burr Duncan Hill (MT)
 Burton Ehlers Hilleary
 Camp Ehrlich Hilliard
 Canady Emerson Hinchey
 Capps Engel Hinojosa
 Capuano English Hobson
 Cardin Etheridge Hoefel

Hoekstra McKinney Schaffer
 Holden McNulty Schakowsky
 Hooley Meehan Scott
 Horn Meeke (FL) Serrano
 Houghton Meeks (NY) Sessions
 Hoyer Menendez Shaw
 Hunter Metcalf Shays
 Hutchinson Millender Sherwood
 Hyde McDonald Shimkus
 Inslee Miller (FL) Shows
 Isakson Miller, George Simpson
 Jackson (IL) Minge Sisisky
 Jackson-Lee Mink Skelton
 (TX) Moakley Slaughter
 Jefferson Mollohan Smith (NJ)
 Jenkins Moore Souder
 John Moran (KS) Spence
 Johnson, E. B. Moran (VA) Spratt
 Jones (NC) Murtha Stabenow
 Jones (OH) Nadler Stark
 Kanjorski Napolitano Stenholm
 Kaptur Neal Strickland
 Kennedy Ney Stupak
 Kildee Northup Sweeney
 Kilpatrick Norwood Talent
 Kind (WI) Nussle Tancredo
 King (NY) Oberstar Tanner
 Kingston Obey Tauscher
 Kleczka Olver Taylor (MS)
 Klink Ortiz Thompson (CA)
 Kucinich Owens Thompson (MS)
 Kuykendall Pascrell Thune
 LaFalce Pastor Thurman
 LaHood Paul Tierney
 Lampson Payne Toomey
 Lantos Pelosi Towns
 Larson Peterson (MN) Traficant
 Latham Petri Turner
 LaTourette Phelps Udall (CO)
 Lazio Pickering Udall (NM)
 Leach Pickett Upton
 Lee Pomeroy Velazquez
 Levin Price (NC) Visclosky
 Lewis (GA) Quinn Walden
 Lewis (KY) Radanovich Walsh
 Linder Rahall Wamp
 Lipinski Ramstad Waters
 LoBiondo Reyes Watt (NC)
 Lowey Rivers Waxman
 Luther Rodriguez Weiner
 Maloney (NY) Roemer Weldon (PA)
 Manzullo Rogan Weller
 Markey Rohrabacher Wexler
 Martinez Ros-Lehtinen Weygand
 Mascara Roybal-Allard Whitfield
 Matsui Royce Wicker
 McCarthy (MO) Rush Wilson
 McCarthy (NY) Sabo Wise
 McDermott Sanchez Wolf
 McGovern Sanders Woolsey
 McHugh Sandlin Wu
 McInnis Sawyer Wynn
 McIntyre Saxton Young (AK)

NOES—109

Archer Gibbons Pease
 Arney Gonzalez Peterson (PA)
 Baker Granger Pitts
 Ballenger Greenwood Pombo
 Barr Hansen Porter
 Barrett (NE) Hastings (WA) Portman
 Barton Hayworth Pryce (OH)
 Bateman Holt Rangel
 Bereuter Hostettler Regula
 Biggert Hulshof Reynolds
 Bliley Istook Riley
 Blunt Johnson (CT) Rogers
 Boehner Johnson, Sam Rothman
 Boehner Kasich Roukema
 Bonilla Kelly Ryan (WI)
 Brady (TX) Knollenberg Ryun (KS)
 Buyer Callahan Kolbe Salmon
 Callahan Green (TX) Sanford
 Calvert Lanford Scarborough
 Cannon Lewis (CA) Sensenbrenner
 Castle Lofgren Shadegg
 Combest Lucas (KY) Sherman
 Cooksey Lucas (OK) Shuster
 Cox Maloney (CT) Skeen
 Crane McCrery Smith (MI)
 Cubin McIntosh Smith (TX)
 Cunningham McKeon Smith (WA)
 DeLay Mica Snyder
 Dooley Miller, Gary Stearns
 Dreier Morella Stump
 Dunn Myrick Sununu
 Eshoo Nethercutt Tauzin
 Farr Ose Taylor (NC)
 Fowler Oxley Terry
 Frelinghuysen Packard

Thomas Vitter Young (FL)
 Thornberry Watkins
 Tiahrt Weldon (FL)

NOT VOTING—12

Campbell Edwards McCollum
 Cook Franks (NJ) Pallone
 Danner Gillmor Vento
 DeMint Goodlatte Watts (OK)

□ 2113

Mr. KASICH and Mr. BENTSEN changed their vote from "aye" to "no."

Messrs. WALSH, LAZIO and HERGER and Ms. KILPATRICK and Ms. EDDIE BERNICE JOHNSON of Texas changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. EDWARDS. Mr. Chairman, I was not recorded on vote No. 268. Had I voted, I would have voted "aye."

AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. YOUNG) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 236, not voting 12, as follows:

[Roll No. 269]

AYES—186

Archer Cox Hefley
 Army Crane Herger
 Bachus Cubin Hill (MT)
 Baker Cunningham Hobson
 Ballenger Davis (VA) Hoekstra
 Barr Deal Hostettler
 Barrett (NE) DeLay Hulshof
 Bartlett Diaz-Balart Hunter
 Barton Dickey Hutchinson
 Bass Doolittle Hyde
 Bateman Dreier Isakson
 Bereuter Duncan Istook
 Biggert Dunn Jenkins
 Bilirakis Ehlers Johnson, Sam
 Bliley Ehrlich Jones (NC)
 Blunt Emerson Kasich
 Boehlert English Kingston
 Boehner Everett Knollenberg
 Bonilla Ewing Kolbe
 Bono Foley Largent
 Brady (TX) Fossella Latham
 Bryant Fowler LaTourette
 Burr Frelinghuysen Lewis (CA)
 Burton Gekas Lewis (KY)
 Buyer Gibbons Linder
 Callahan Gilchrest Lucas (OK)
 Calvert Goode Manzanillo
 Canady Goodling McCrery
 Cannon Goss McInnis
 Castle Graham McIntosh
 Chabot Granger McKeon
 Chambliss Green (WI) Metcalf
 Chenoweth-Hage Greenwood Mica
 Coble Gutknecht Miller (FL)
 Coburn Hall (TX) Miller, Gary
 Collins Moran (KS) Myrick
 Combest Hastings (WA) Nethercutt
 Cooksey Hayworth

Ney	Royce	Sweeney
Northup	Ryan (WI)	Talent
Norwood	Ryun (KS)	Tancredo
Nussle	Salmon	Tauzin
Ose	Sanford	Taylor (MS)
Oxley	Saxton	Taylor (NC)
Packard	Scarborough	Terry
Paul	Schaffer	Thomas
Pease	Sensenbrenner	Thornberry
Peterson (PA)	Sessions	Thune
Petri	Shadegg	Tiahrt
Pickering	Shaw	Toomey
Pitts	Shays	Vitter
Pombo	Sherwood	Walden
Porter	Shuster	Walsh
Portman	Simpson	Wamp
Pryce (OH)	Skeen	Watkins
Radanovich	Smith (MI)	Weldon (PA)
Regula	Smith (TX)	Weller
Reynolds	Souder	Whitfield
Riley	Stearns	Wicker
Rohrabacher	Stenholm	Wolf
Ros-Lehtinen	Stump	Young (AK)
Roukema	Stununu	Young (FL)

Traficant	Waters	Wilson
Turner	Watt (NC)	Wise
Udall (CO)	Waxman	Woolsey
Udall (NM)	Weiner	Wu
Upton	Weldon (FL)	Wynn
Velazquez	Wexler	
Visclosky	Weygand	

NOT VOTING—12

Campbell	Franks (NJ)	McCollum
Cook	Gillmor	Pallone
Danner	Goodlatte	Vento
DeMint	Matsui	Watts (OK)

□ 2121

Mr. SPENCE and Mr. RAMSTAD changed their vote from “aye” to “no.” So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to do two things: First of all, as every Member knows, as hard as Members work, our staffs work twice as hard. I would simply like to take a moment to thank Christina Hamilton, Norris Cochran, Mari Johnson, Scott Lilly, Cheryl Smith, Mark Mioduski and Kori Hardin for the work they have done for me and for the Democratic minority.

I would like to thank Doyle Lewis, Marc Granowitter, Scott Boule, Clare Coleman, Kristin Holman and Charles Dujon for the work that they have done on behalf of the minority members of the subcommittee.

I would like to thank Tony McCann, Carol Murphy, Susan Firth, Francine Salvador, Jeff Kenyon, Tom Kelly, Spencer Pearlman, and Katharine Fisher for the work they have done on behalf of the majority. They have done very good work in preparing us and in preparing our arguments, even when they know that both of us are wrong.

Mr. Chairman, I appreciate the fact that many of them have gone without sleep for a long time, and I think they need our thanks. Also the folks in the front office of the committee, who also get beat up, but work very hard as well.

I also would simply like to note that with the defeat of the Young amendment on the last vote, this bill is now \$500 million in budget authority and \$217 million in outlays above its allowable spending levels in the budget resolution. That means that at this point the bill has the same defect that the majority objected to in the amendments that we offered on the minority side all day long. Very interesting.

Mr. PORTER. Mr. Chairman, it has been brought to my attention that HCFA is in the process of drafting a rule that will effectively eliminate the states ability to generate revenue through the so-called “upper limits test” to help cover the cost of providing healthcare for the uninsured. It is my understanding that such a change in policy would cost my state of Illinois approximately \$500 million in revenue annually, including \$200 million to Cook County Hospital, a federally qualified health center that cares for the indigent. Mr. Chairman, I have spoken with the Director of HCFA to inform her of my concern over the affect of this proposed rule, which could greatly limit access to care for many uninsured individuals

in mine and other states. I informed her, also, that I hoped that HCFA would be able to resolve this issue internally so that a legislative solution would not be required.

Mr. CROWLEY. Mr. Chairman, since coming here last January, I have repeatedly asked: What have our children done to deserve the little faith and support this body gives them? Year after year we level fund or cut their education, job training, child care, and health programs. Class size reduction program funds are zeroed out and instead, rolled into a giant block grant to states, which they can use for other purposes. And most importantly, we sit back and say it is not our responsibility to help schools whose roofs are falling in and whose classrooms are bursting at the seams.

The Fiscal Year 2001 Labor, Health and Human Services and Education appropriations is an injustice to our children. It freezes funding for Title I basic grants, safe and drug free schools, teacher quality enhancement and bilingual education. It eliminates the class size reduction program. Tell that to students at PS 19 in my district where the average class size is 26! And what about the students who use the new after school and summer programs in community School District 30? Well, 1.6 million students will not have after school programs since we are not investing in this worthwhile program. They can just go back to the streets where they are susceptible to drugs and gangs.

Most egregiously, this bill eliminates funding for elementary school counselors. At a time where school safety is of paramount concern to American families, H.R. 4577 would deny needed intervention and violence prevention services to as many as 100,000 children.

If there is one thing in this country that deserves an investment, it is our children. I believe it is unconscionable that we even consider a bill that will do nothing to help our children. Moreover, passage of this bill will harm our children as it denies desperately needed renovation assistance to schools across the country—schools that are failing inspections. Would you allow your child to attend a school that had a roof falling in or fire alarms that did not work? Congress is allowing that to happen to the children of America.

Additionally, this bill increases funding for abstinence only education but level funds Title X funding. While an integral part of Title X goes towards family planning, this program also provides important basic health services to young and low income women. Oftentimes, it is the only time low income women see a doctor. To level fund this program harms women and children.

Also included in H.R. 4577 is a restrictive rider that prohibits OSHA from implementing an ergonomics standard.

Each year, 1.8 million workers experience work related musculoskeletal disorders, about one third of them serious enough to require time off from work. An ergonomics standard would prevent 300,000 injuries annually and would save \$9 billion each year in workers' compensation and related costs. There has been extensive research conducted and there is no reason for further delay.

I could go one, but overall, I urge you to vote against this bill and in support of our children, our workers and their future.

Mr. WU. Mr. Chairman, I rise today in strong opposition to H.R. 4577, the Labor, Health and

NOES—236

Abercrombie	Gephardt	Meeks (NY)
Ackerman	Gilman	Menendez
Aderholt	Gonzalez	Millender-
Allen	Gordon	McDonald
Andrews	Green (TX)	Miller, George
Baca	Gutierrez	Minge
Baird	Hall (OH)	Mink
Baldacci	Hastings (FL)	Moakley
Baldwin	Hayes	Mollohan
Barcia	Hill (IN)	Moore
Barrett (WI)	Hilleary	Moran (VA)
Becerra	Hilliard	Morella
Bentsen	Hinchee	Murtha
Berkley	Hinojosa	Nadler
Berman	Hoeffel	Napolitano
Berry	Holden	Neal
Bilbray	Holt	Oberstar
Bishop	Hooley	Obey
Blagojevich	Horn	Olver
Blumenauer	Houghton	Ortiz
Bonior	Hoyer	Owens
Borski	Inslee	Pascrell
Boswell	Jackson (IL)	Pastor
Boucher	Jackson-Lee	Payne
Boyd	(TX)	Pelosi
Brady (PA)	Jefferson	Peterson (MN)
Brown (FL)	John	Phelps
Brown (OH)	Johnson (CT)	Pickett
Camp	Johnson, E. B.	Pomeroy
Capps	Jones (OH)	Price (NC)
Capuano	Kanjorski	Quinn
Cardin	Kaptur	Rahall
Carson	Kelly	Ramstad
Clay	Kennedy	Rangel
Clayton	Kildee	Reyes
Clement	Kilpatrick	Rivers
Clyburn	Kind (WI)	Rodriguez
Condit	King (NY)	Roemer
Conyers	Kleczka	Rogan
Costello	Klink	Rogers
Coyne	Kucinich	Rothman
Cramer	Kuykendall	Roybal-Allard
Crowley	LaFalce	Rush
Cummings	LaHood	Sabo
Davis (FL)	Lampson	Sanchez
Davis (IL)	Lantos	Sanders
DeFazio	Larson	Sandlin
DeGette	Lazio	Sawyer
Delahunt	Leach	Schakowsky
DeLauro	Lee	Scott
Deutsch	Levin	Serrano
Dicks	Lewis (GA)	Sherman
Dingell	Lipinski	Shimkus
Dixon	LoBiondo	Shoemaker
Doggett	Lofgren	Sisisky
Dooley	Lowey	Skelton
Doyle	Lucas (KY)	Slaughter
Edwards	Luther	Smith (NJ)
Engel	Maloney (CT)	Smith (WA)
Eshoo	Maloney (NY)	Snyder
Etheridge	Markey	Spence
Evans	Martinez	Spratt
Farr	Mascara	Stabenow
Fattah	McCarthy (MO)	Stark
Filner	McCarthy (NY)	Strickland
Fletcher	McDermott	Stupak
Forbes	McGovern	Tanner
Ford	McHugh	Tauscher
Frank (MA)	McIntyre	Thompson (CA)
Frost	McKinney	Thompson (MS)
Galleghy	McNulty	Thurman
Ganske	Meehan	Tierney
Gejdenson	Meek (FL)	Towns

Human Services, and Education bill for Fiscal Year 2001. This is an irresponsible bill that cuts critical funding to our nation's elementary and secondary education programs and severely limits the ability for students to receive a quality education.

The bill cuts \$600 million from the Administration's request for Head-Start. This would mean that 56,000 children would be denied Head-Start services. As I have traveled throughout Oregon, I have seen first-hand the positive impact that Head Start has on children in building a positive foundation. My wife Michelle taught Head-Start teacher in Portland. Through her work, I have seen that Head-Start is a life transforming educational experience.

Yet, only 26.7 percent of eligible children ages 0 to 5 can be served in Oregon. Nationally, this figure is as low as 14.4 percent. Significant research has shown the importance of brain development in young children and an increased focus on intervening in a young child's life during the most sensitive of years is vitally important. We must work toward serving 100 percent of these children.

The Education and the Workforce Committee spent a great deal of time considering the Elementary and Secondary Education Act (ESEA). Members of Congress from both parties agreed that we need to do more for our nation's schoolchildren even though we may come from different viewpoints on how to achieve this goal. One step in the right direction is reducing class size. Studies have shown that if you reduce class sizes in the early years the results last a lifetime. In classes with fewer students, children receive individualized attention that leads to a solid foundation in learning. The legislation we are considering today repeats our promise to students by gutting the class size initiative. For two years, this program has funded nearly 29,000 teachers and Oregon schoolchildren, their parents and teachers are seeing the benefit of smaller classes.

As more and more schools are hooking up to the internet with the e-rate as well as learning on-line with donated computers, we need to ensure that computers aren't merely a box on the desk but that teachers are able to fully integrate technology into the curriculum and our classrooms. In Oregon, public and private efforts empower students and teachers. They incorporate information technology into learning and teaching, at home and at school. I am proud of the innovative work done in Oregon as well as in other states. However, we must continue to foster these types of relationships to ensure that students are using technology in all of their classes.

Earlier this year, I introduced the Next Generation Technology Innovation Grants Act of 2000 with bipartisan support. This program combines the Star School program and Technology Innovation Challenge Grants to develop and expand cutting edge technologies that deliver new applications for teaching and learning. Building on the successes of private/public partnerships, grants are made to a consortium of school districts, states, higher education institutions, nonprofit institutions and businesses.

The grant-funded projects would create models for effective use of educational technology including the development of distance learning networks, software, and online learning resources. Unfortunately, the Committee provided zero funding for this program.

On a positive note, I would like to commend the Appropriations Committee for recognizing the need to raise the maximum Pell Grant award to \$3,500. Today, the real value of the Pell Grant award has declined by 18 percent since 1975. To restore the value of the grant in current dollars, however, the maximum grant would need to be set at \$4,300.

Mr. Chairman, this is a bad bill for our nation's children, schools, and parents. I urge defeat of this bill so that we can go back to the drawing boards and come back with a common sense, bipartisan bill that will truly make a positive impact on our students. The bill fails to provide adequate funding for crucial education programs such as the Class-Size Initiative, school construction, and teacher quality programs is rooted in the drive to cut taxes by \$1-\$2 trillion. More modest tax cuts would permit us to address our most pressing education needs.

Mr. HALL of Ohio. Mr. Chairman, I have drafted an amendment to the Labor-HHS-Education Appropriations (H.R. 4577) we are considering today but, in deference to Mr. OBEY I will not offer it.

My amendment aimed to increase the funding for "Meals on Wheels" and other nutrition programs for senior citizens by \$19 million. Cuts in the Department of Health and Human Services management budget would offset this vital increase.

Mr. Speaker, I recently visited senior centers and food banks in Ohio, Kentucky and West Virginia. As often as I have seen hungry people in this country and abroad, my trip was both eye-opening and disturbing. I met hundreds of people during the two days I spent looking at the problems hungry Americans face: senior citizens who must choose buying medicine and buying groceries; a couple who knows how to make a can of tomato juice last a week (by adding water); a woman who can make "chicken noodle soup" out of an egg, some flour and a lot of water (by omitting the chicken); a Navy veteran who doesn't eat on the weekends because the local soup kitchen isn't open.

I will be publishing my report on the trip in the CONGRESSIONAL RECORD, and I hope our colleagues will take a moment to read their stories. None of these places is far from an interstate, or more than 100 miles from a large community. They may be rural, but they are not isolated. And they are not alone in their difficulties—in fact, they are in the overwhelming majority of communities where hunger remains a real problem for large segments of the people who live there.

I crafted my amendment to help senior citizens who are turning to soup kitchens, food banks, and programs like "Meal on Wheels" in disproportionate numbers. I believe the \$19 million it would have provided is far better spent there in the HHS bureaucracy.

I chose that agency's management budget because I believe the Secretary of Health and Human Services is badly out of touch with people like the ones I met on June 1-2. A few days before my trip, at the National Nutrition Summit here in Washington, Secretary Shalala declared victory in the battle against hunger. "Except for a few isolated pockets," she told community leaders from around the nation, "for the most part, we've succeeded at ending hunger in America."

Mr. Speaker, that is a bizarre statement and a clear sign that this Cabinet official is out of

tough with reality. Moreover, in her speech, Secretary Shalala went on to explain that she could declare victory over hunger because of dietary guidelines. Not because of Meals on Wheels, or WIC, or school lunch, or food stamps, or food banks or soup kitchens—but dietary guidelines! That, she said, is her understanding of why hunger is a problem only in "isolated pockets" of our nation. It is disturbing logic, particularly for a senior official charged with looking after senior nutrition, Medicaid, and other programs that serve the poor and hungry.

Three decades ago, a nutrition summit became a springboard for initiatives that brought greater attention to the fight against hunger. It was a watershed event that did some good for people. I hope the nutrition summit of 2000 does more for the on-going battle than Secretary Shalala's statement suggests.

The fact that hunger continues to be a problem for our country—even in these boom times—doesn't surprise most of us. We regularly see our elderly constituents at congregate feeding sites, and know that many of them struggle to decide whether to fill their prescriptions or their grocery carts. We know that many of our nation's seniors depend heavily on home-delivered and congregate meals. And we know that our communities' own program have watched their funding shrink by 35 percent since 1993, in large part because of senior's increased needs.

These are not just a few people: One in five Americans over 65 lives in poverty or near poverty according to America's Second Harvest. Nearly two million elderly Americans must choose between buying the food they need, or the medicine they need; and senior citizens are over-represented in the growing lines at food banks and soup kitchens.

Nor is the problem just one our nation's elderly face. The World Health Organization just found that America's poorest rank among Africa's poor when it comes to how long their good health will last. They ranked 23 other nations ahead of ours, largely because of how we treat the poor. Moreover, a new UNICEF report on child poverty in the 29 most developed nations puts the United States second to last, ahead of only Mexico.

Mr. Speaker, tomorrow, I plan to issue a challenge to Secretary Shalala. I will meet her anytime, anywhere and show her where to find hunger. It is in every community, in every month of the year. It is the underbelly of our booming economy: something you might not want to see, something you don't see unless you choose to look, but something that haunts our people.

As Senator LUGAR, who has been a champion in the fight against hunger, said in a letter to Roll Call last week, while " * * * progress has been made in reducing hunger. * * * we can and should be doing much better." The first step is to refuse to quit before the problem is solved. Secretary Shalala has given up too soon, and I urge our colleagues not to follow her lead.

Mr. CARDIN. Mr. Chairman, I rise to express my concern regarding the level of funding including in this bill for the Social Security Administration's (SSA) administrative expenses. This bill reduces the President's request by \$156 million. Compared to the Commissioner's request, this is a reduction of \$378 million. These reductions will force SSA to reduce staff at the same time that the SSA is

facing its own wave of retirements from its own employees in the next five to ten years as well. The reductions will also result in decreased service to individuals with disabilities and the nation's seniors, and reduced oversight of the integrity of the Agency's programs. I fear that these reductions will put a strain on the agency's ability to carry out its mission.

I believe that the SSA faces these funding shortfalls because it is subject to the allocation required by the spending caps, even though Social Security benefit payments are considered off-budget and not subject to spending cap restrictions. Since we are not able to fund the SSA properly, we should take Social Security's administrative expenses out of the caps. We could fund the Agency based on the size and scope of its programs—subject to the approval of the Committee on Appropriations, but not subject to the Section 302 allocation—rather than what we are able to find without our allocation.

Even though most of the administrative funding for SSA is derived from the Trust Funds—funds that cannot be used for any other program—we are limited in the allocation required by the budget caps. The demands on the Agency are greater than our allocation can fund that will grow as the baby-boom generation is quickly moving into its disability-prone years, with retirement not far behind.

I believe that the SSA should be funded at \$7.356 billion, the Commissioner's request, and that we need to work together, with the Administration, to find a solution to this structural anomaly which classifies administrative costs to run Social Security programs as under the discretionary caps. We should let the Agency use Social Security money for Social Security purposes.

Mr. CUNNINGHAM. Mr. Chairman, the Chairman of the Subcommittee, the gentleman from Illinois (Mr. PORTER) has included in the report accompanying this bill language providing \$125 million to the Centers for Disease Control for a National Campaign to Change Children's Health Behaviors. The language is found on page 54 of the H. Rept. 106-645.

I want to commend Chairman PORTER for seizing the initiative in this area. It makes sense that if we are to improve health habits in our young people, they will sustain better health and better quality of life for a lifetime. Just to cite one example, it was through the hearings in the Subcommittee on Labor-HHS-Education that we have learned a great deal about the growing epidemic of child obesity, its causes, and its effects which include adult onset diabetes, high cholesterol, premature cardiovascular disease, arthritis and other substantial health problems.

As a former teacher and coach, I have a particular interest in the health of young people, and in the importance of physical education in particular. Before my election to Congress and my service in the Navy, I was a teacher and coach at Hinsdale (Illinois) High School and at the University of Missouri, and was privileged to coach swimmers who went on to win gold and silver medals in the Olympics. I was also privileged to coach young people who learned through physical activity the kind of good health and good fund that last a lifetime.

But just as we are funding that obesity is a major, growing public health problem among young people, we are likewise seeing major declines in the kinds of physical education and

physical activity that would reduce obesity and its effects.

Children are becoming more and more inactive. One-half of young people ages 12 to 21 do not participate in physical activity on a regular basis. Less than one in four children get more than 20 minutes of physical activity a day.

Meanwhile, the physical education programs in this country's schools reflect the sedentary nature of our children's lifestyle. Only 27 percent of school children participate in physical education on a daily basis and 40 percent of the nation's high school students are not enrolled in physical education at all.

More children are obese. And fewer are participating in physical education. I believe these two are fairly directly linked.

Does every child need to be the star quarterback, or a varsity track star, to benefit from physical education? Not at all. Physical education, with broad participation among every young person blessed with every range of athletic gifts, builds health habits that last a lifetime.

More directly to the point on public health, physical education programs can help children counteract physical ailments by increasing their levels of physical activity. Physical education can help children develop skills, such as hand-eye coordination and dexterity. Physical education can provide alternatives to crime, drugs, alcohol, and tobacco.

And, Mr. Chairman, physical education is fun.

In an effort to realize some of these benefits, I believe that we must renew a real and positive focus on physical education in our nation's schools. I believe that Chairman's Porter's provision allocating funding to CDC to focus on children's health behaviors represents a good start. In part, I believe that it would benefit from a particular strong additional emphasis on physical education in schools, which helps accomplish many of the objectives we have in this area. And I hope that the Chairman and I can work toward this end as this appropriations bill goes to conference committee with the Senate. I am sure that he shares my belief that the time and effort we invest in physical education today will be small in comparison to the amount of work that will be necessary for health care treatment should our children's current trend towards sedentary lifestyles continue.

I urge my colleagues to support the bill.

Mr. LANTOS. Mr. Chairman, I rise in strong opposition to H.R. 4577, the Labor, HHS, Education, and Related Agencies Appropriations bill for Fiscal Year 2001. This legislation would shortchange funding for critical education programs and would seriously undermine efforts to maximize student achievement, improve teacher quality, and improve our public school systems. The legislation would also undermine important worker rights by shortchanging the principal programs which protect the health and safety of America's workers.

Mr. Chairman, at town meetings in my congressional district, parents tell me they want to ensure that their children have good teachers in small classes so that their children can get the personal attention they need. Parents tell me we need to strengthen accountability in the schools. Parents, teachers and principals tell me they urgently need help in renovating aging school buildings. Parents and counselors tell me that children need more after-

school programs and that we need to work much harder to close the digital divide. But the bill before us today fails to meet the challenges of record enrollments, more students with special needs, shortages of teachers and principals and schools needing modernization.

Mr. Chairman, under this legislation students and schools in California next year would be denied critical federal funds for education. Under H.R. 4577, the state of California would receive no support specifically targeted to deal with our lowest performing schools or to improve the condition of outdated and dilapidated school buildings. California would lose more than \$396 million—money that was requested by the President to improve teaching and learning in our public schools and to help local schools improve the basic skills of disadvantaged students. Passage of this bill would mean that California would receive less money to hire new teachers and would jeopardize the jobs of over 2,000 new teachers recently hired. Passage of this bill would mean that California would lose more than \$80 million to improve teacher quality and recruit teachers for high-poverty school districts. Passage of this bill would mean that California would receive over \$56 million less to help students in high-poverty areas raise their academic performance.

Mr. Chairman, the American public ranks education as a top priority for federal investment. It is time to maximize student achievement. This bill fails to address the most urgent problems in our education system and falls over \$3 billion short of the President's proposed education funding levels. The bill eliminates important education programs which have had a proven track record in improving the academic performance of our children and our schools. I urge my colleagues in the House to reject this bill and support a bipartisan bill that provides all of our nation's students and schools with the resources and assistance they need to succeed.

Mr. Chairman, H.R. 4577 also contains unacceptable cuts in programs which protect the safety and health of America's workers. It would undermine the right of employees to organize and bargain collectively and would weaken attempts to enforce our nation's minimum wage and child labor laws.

H.R. 4577 also contains a very unwise and dangerous anti-labor rider. The legislation would prevent the Occupational Safety and Health Administration (OSHA) from enforcing its proposed ergonomic standards. Ergonomic hazards are still our nation's number one occupational safety and health problem. Ten years ago, when I served as Chair of the Employment and Housing Subcommittee, then-Secretary of Labor Elizabeth Dole announced the need for ergonomic standards. Since that time more than 6 million workers have suffered disabling ergonomic injuries. In 1997 alone, more than 600,000 workers suffered injuries as a result of ergonomic hazards in the workplace and required time off from work. It is critical that OSHA be allowed to move forward to issue ergonomic protections in the workplace.

Ergonomic injuries are painful often crippling musculoskeletal disorders (MSDs) or injuries and leave many unable to work or live a normal life. MSDs include injuries or disorders of the muscles, tendons, ligaments, joint, cartilage and spinal disks. The main causes of MSDs are overexertion and repetitive motion

and can occur during heavy lifting, forceful exertions, repetitive motions and awkward postures. MSDs occur in all sectors of the economy including the manufacturing, service, retail, agricultural, construction, and industrial sectors. Ergonomic injuries are estimated to cost the US economy more than \$20 billion annually, \$9 billion in workers compensation. MSDs can be prevented. I urge my colleagues to oppose H.R. 4577 and oppose any efforts that would prevent OSHA from issuing ergonomic standards for the workplace.

Mr. Chairman, this legislation is unwise and detrimental to our children and to American workers. I urge my colleagues to vote no on this bill.

Mr. REYES. Mr. Chairman. I rise to strike the last word. I stand in strong opposition to the passage of the 2001 Labor, HHS, and Education Appropriations bill because it severely cuts programs that are extremely important to the education of our children, affects veterans programs, and because it hurts displaced workers. I urge my colleagues to oppose it.

The first problem with this bill is that it severely shortchanges education—by \$3.5 billion. This bill would end our commitment to hire 100,000 new teachers and to reduce class sizes. I am also concerned by the fact that this bill would eliminate Head Start for some 53,000 children and cut \$1.3 billion for urgent repairs to schools across the country. These are critical issues for my district and for many districts across the country. This bill will also eliminate school counselors serving over 100,000 children. This would deprive schools of the professionals they need to identify and help troubled children.

This bill also does considerable injustice to Bilingual and Immigrant Education. The amount included in the bill for programs addressing these issues in \$54 million below the budget request. The professional development of our bilingual education teachers is critically important. The Labor, HHS, and Education bill in its current form provides an amount that is \$28.5 million below the budget request for the important programs of Bilingual Education Professional Development. The grants that are provided for the development of our teachers in bilingual education are needed to increase the pool of trained teachers and strengthen the skills of teachers who provide instruction to students who have limited English proficiency. These funds support the training and retraining of bilingual teachers. The disparities to minority education will be increased if this bill is passed.

Secondly, this bill severely shortchanges programs that assist displaced workers. This is a major issue for my constituents in El Paso, as I know that it is for many of you in your home districts. In El Paso and in other areas along the U.S./Mexico border, NAFTA has created many displaced workers, and this bill undermines programs designed to help them. For example, the bill cuts assistance to over 215,000 dislocated workers and it cuts the dislocated worker program by \$207 million below the 2000 budget level. These cuts will make it more difficult for these workers to find jobs. This bill also cuts adult job training for almost 40,000 adults. The cuts in adult training programs equal \$93 million or 10 percent below the request and 2000 levels.

Finally, this bill provides only \$9.6 million for employment assistance to another class of

displaced workers: Our homeless veterans. There are over a quarter million homeless veterans in this country, and the provisions in this bill will deny employment assistance to thousands of these Americans who have faithfully served our country. This is unacceptable.

We are attacking programs that are needed to educate our children, help our veterans, and to assist displaced workers. Again, I stand in strong opposition to passage, and I urge my colleagues to oppose this bill.

Mr. WELDON of Florida. Mr. Chairman, for the past year, I have been investigating the scientific research regarding a possible link between the Measles, Mumps and Rubella (MMR) vaccine and a type of autism, known as autistic enterocolitis.

I have met with the directors of the Centers for Disease Control and National Institutes of Health officials to discuss this matter. I have also met with researchers that have identified measles virus in the intestines of children with autistic enterocolitis. I have become very concerned about a lack of interest on the part of the CDC and NIH to fully examine this issue.

I am a strong proponent of vaccines. Vaccines save thousands of lives in America each year and have spared our nation from the scourge of disease that plagued our nation in the early part of the 20th Century and that still plagues many parts of the globe. Recent reports (MMWR Weekly, April 4, 2000) of measles outbreaks in unvaccinated populations in developed countries like the Netherlands, indicate how important it is to ensure confidence in our vaccination program so that children are vaccinated against diseases.

This confidence is maintained by seriously considering all scientific research related to vaccines, even if such research indicates that we may need to make adjustments in the vaccine schedule. While some may argue that a quick dismissal of such studies is needed to ensure confidence in the national vaccination program, such action may actually lead to the opposite effect and undermine confidence in the program. I believe that the federal agencies responsible for our nation's vaccination program must remain ever vigilant in fully examining any research related to questions about vaccines to ensure that confidence is maintained. This means giving serious consideration and independent review to any credible study related to vaccinations.

Recent peer reviewed studies reveal that there may be emerging an atypical phenotype of autism (autistic enterocolitis), in which normal development is followed by developmental regression with a simultaneous manifestation of chronic gastrointestinal symptoms. One hypothesis is that this may be related to a trivalent vaccine for Measles, Mumps and Rubella (MMR). It is important that the appropriate federal agencies give these studies a full and independent review to determine their validity. Specifically, symptoms described in the study include ileal lymphoid nodular hyperplasia with chronic enterocolitis, immune and metabolic derangement combined with a regressive developmental disorder. Most important is the localization, quantitation and sequencing of measles virus genome in affected tissues in the gastrointestinal tract. The hypothesis, suggests the possibility of a gut-mediated autism associated with the trivalent vaccine, whereby damage to the gut may lead to damage to the central nervous system at a sensitive time and thus the onset of the devel-

opment disorder. It is the combination of these vaccines in a single dose that may cause an adverse effect, according to the researchers. They do not indicate a similar concern when the measles, mumps and rubella vaccines are given in a monovalent form at different times.

I appreciate the chairman's and the committee's willingness to include language in the bill recognizing the research on the MMR/Autism issue by Dr. Andrew Wakefield of London, England and Professor John O'Leary of Dublin, Ireland. I further appreciate their inclusion of language in the report directing the National Institutes of Health (NIH) to:

... give serious attention to these reports and pursue appropriate research that will permit scientific analysis and evaluation of the concerns that have been raised through all available mechanisms, as appropriate, including an attempt to replicate the molecular evidence of persistent measles virus infection in children with autistic enterocolitis. This research should be pursued in a way that does not cause undue harm to the Nation's efforts to protect children against vaccine-preventable diseases.

This language will ensure that the NIH works to replicate the work of Dr. Wakefield and Prof. O'Leary and others who have raised concerns about the trivalent vaccine and incidence of a regressive form of autism.

Just last year the CDC took action to remove the Rotavirus vaccine when evidence was presented indicating adverse reactions in several children. It is this type of decisive action and willingness to fully review our vaccine schedule when questions are raised that builds confidence in our vaccine program. The CDC and NIH should pursue the evidence presented in the MMR/Autism arena with equal vigor.

It is the best interest of our national vaccine program and the safety of our children that the NIH and CDC attempt to replicate this work in a timely manner. If such independent studies were to fail to demonstrate Dr. Wakefield's and Prof. O'Leary's findings, this would serve well to bolster public confidence in the safety of the MMR.

Certainly, if the research were to verify Dr. Wakefield's and Prof. O'Leary's findings, this would be an important scientific finding that policy makers would need to know and should know at the soonest time possible. There are acceptable alternatives to the MMR, including separating the vaccine and giving it at different times.

In order to secure public confidence in our national vaccine program. I believe it is critical that public health officials fully examine any research that calls into question the safety of vaccines. It is also important that this research be done independent of the government vaccine officials or vaccine manufacturers.

Mr. BENTSEN. Mr. Chairman, I rise today in strong opposition to H.R. 4577, the Fiscal Year 2001 Labor, Health and Human Services, and Education (Labor-HHS-Education) Appropriations Act, which includes insufficient funding for critical education and health programs. I am very concerned that this bill will not meet the needs of our nation and is \$7 billion less than the President's request for next year. I am also disappointed that this bill includes budget gimmicks such as advance funding and other mechanisms in order to fund programs. This is another example of the Republican leadership trying to have it both ways with its budget—say you are for unrealistic cuts in domestic priorities and then find

ways to avoid such cuts. Advance funding means that programs do not get the funding they need on a timely basis and results in fewer funds being available in the out years. If we have needs to be met, I think we should be honest with the American people and let them know exactly how much funding is really needed to meet these needs. This bill fails this test.

I am particularly concerned about the proposed funding for the National Institutes of Health. This bill would provide \$18.8 billion, an increase of \$1 billion above the Fiscal year 2000 budget, well below Congress' goal of doubling the NIH's budget over five years. Over the past three years, a bipartisan effort has helped to provide 15 percent increases each year for the NIH. We know that the American public strongly supports this investment and we know that this increased funding can be well spent. For instance, only one in three of peer-reviewed grants is currently funded by the NIH. If we do not maintain this 15 percent increase, we will be losing the momentum that we have gained over the past three years. Failing to maintain a sufficient funding stream for NIH is counterproductive. With the President's announcement yesterday of the Executive Order directing the Health Care Financing Administration (HCFA) to begin covering the routine patient costs associated with clinical trials, the Administration and those of us in Congress who have been pushing for this coverage by Medicare had hoped to eliminate the bottleneck in biomedical research from the laboratory to treatment. Unfortunately, the Republicans are not sufficiently committed to providing the necessary resources to biomedical research and finding cures to diseases such as AIDS, cancer, heart disease, and Alzheimer's which plague the nation. As one of the Co-Chairs of the Congressional Biomedical Caucus, I am committed to increasing this inadequate funding level.

Another concern is the funding for the Older Americans' Act. This bill provides \$926 million for senior citizen programs such as a popular Meals-on-Wheels program to provide nutritional meals to senior citizens. This funding level is \$158 million less than President Clinton's request and will not ensure that senior centers around the nation get the support they need. Throughout my district, thousands of senior citizens on fixed incomes rely greatly on these nutrition programs.

This bill also fails to properly fund child care grants to the states. The child care and development block grant program helps low-income families to pay for child care services while they work. This bill provides \$400 million for the child care program which is \$417 million less than the President's request of \$817 million. If we want people to move from welfare to work, and we do, we must ensure that they receive sufficient assistance in order to take care of their children in quality, safe child care centers. All of us as parents know the cost of child care is rising. And when we passed the Welfare Reform Act of 1996, my support was not only for limitations on benefits and requirements to work but also ensuring that sufficient child care funds were provided to the states. This bill goes back on that commitment.

This bill signals a retreat on education, which I cannot support. H.R. 4577 provides overall education funding at \$2.9 billion below both the Administration's budget and \$3 billion

below the bipartisan Senate bill. These cuts in education funding would seriously undermine efforts to maximize student achievement, improve teacher quality and ensure accountability in public education for all of our nations' students. The unsatisfactory overall funding level for education neglects the needs of America's schoolchildren and it ignores the public prioritization of education as the pre-eminent issue of the new century.

For elementary and secondary education programs, the bill provides only a nominal increase—\$2.6 billion below the Administration's budget and more than \$2.5 billion below the Senate approved appropriation. Factoring in inflation and rising student enrollment, this funding level essential represents a funding freeze at the same time the nation's public schools are experiencing record enrollment growth. While H.R. 4577 increases special education funding by \$500 million—which I strongly support—it does so by reducing virtually all other elementary and secondary education programs below current levels.

H.R. 4577 not only eliminates targeted funding to help low-performing students maximize student achievement, it would freeze Title I program funds and effectively deny additional math and reading services to several hundred thousand disadvantaged students. Last fall, the House passed H.R. 2, the Student Results Act, a bipartisan measure that set the Title I funding level for FY2001 at \$9.85 billion. H.R. 4577 would cut \$2 billion from the amount authorized in H.R. 2. Although the Congressional Research Service has determined that Title I funding would need to be tripled to \$24 billion in order to serve fully all of the nations eligible low-income children, H.R. 4577 falls well short of meeting the needs of this important educational tool. At a time when parents and politicians are calling for better results and more accountability, H.R. 4577 would fail to target adequate resources to those students with the greatest need and would leave too many children who urgently need targeted educational assistance out in the cold.

In addition to the freeze in Title I funds, H.R. 4577 is \$1.5 billion below the level Congress recently approved on an overwhelmingly bipartisan basis in H.R. 4055, the IDEA Full Funding Act. On average, it costs more than \$14,000 to educate a special education student. Local school districts simply could not afford those expenditures on their own. The Budget Committee's assumption of a \$2 billion increase would have significantly advanced the congressional effort to provide 40 percent of the funding for IDEA.

H.R. 4577 also fails to fund the critical need for school modernization and renovation. Under this bill, \$1.3 billion in emergency grants and loans proposed by the Administration for essential school construction and modernization would be denied. These funds would leverage \$6.7 billion over 5,000 repair projects in the highest-need areas of our nation. This bill denies the desperately needed funds to fix leaky roofs, upgrade plumbing, improve accessibility for disabled students and bring local school buildings into compliance with local safety codes.

This legislation would also jeopardize the class-size reduction program Congress approved just last November. H.R. 4577 would block-grant the \$1.75 billion requested for smaller classes, which has already helped school district to hire 29,000 highly qualified

new teachers including 2,500 in Texas. Eliminating funds for class-size reduction would jeopardize gains recently attained and would prevent the hiring of an additional 20,000 qualified teachers to serve 2.9 million children.

H.R. 4577 also provides \$1 billion less than the Administration's request for teacher quality programs. The House has already approved two ESEA reauthorization bills requiring all teachers to be fully certified and highly qualified. Schools will need additional funds to recruit and train the 2.2 million new teachers needed in the next decade, and to strengthen the skills of current teachers. The bill also reduces the Administration's request for teacher technology training by \$65 million, which will deny 100,000 teachers the opportunity to develop the necessary skills to use technology effectively in the classroom.

Federal education funding is critical for the improvement of our nation's schools. The FY2001 Labor-HHS-Education Appropriation bill fails to appropriate the necessary funding for education programs and quality resources, while it intrudes upon the realm of local decision makers. We must protect America's successful public school system by rejecting this inadequate bill.

The Committee erred in its approval of the Northup amendment banning the use of funds for implementation of Occupational Safety and Health Administration (OSHA) proposed rules for ergonomics. I believe OSHA has properly identified the need to address Repetitive Strain Injuries (RSIs) which research has found annually forces more than 600,000 workers to lose time from their jobs. These disorders constitute the largest job-related injury and illness problem in the United States today. Employers pay more than \$15–\$20 billion in workers' compensation costs for these disorders every year, and other expenses associated with RSIs may increase this total to \$45–\$54 billion a year.

There appears to be broad consensus that a well-designed work space can reduce employee injuries, heightens productivity and save money. Employers benefit from creating office environments and workplaces that are healthful to workers. Clearly, OSHA has a significant role to play to prevent such injuries. But I also believe the OSHA proposed rule has some flaws which should be addressed, first through the rule-making process and only if it is determined that OSHA fails to fully address legitimate concerns should it subsequently be addressed through the legislative process. It is heavy-handed to simply ban any action and pretend ergonomics does not exist.

Additionally, H.R. 4577, fails to provide adequate funding for the Title X family planning program. Title X, as a federal domestic family planning program, grants state health departments and regional umbrella agencies funding for voluntary, confidential reproductive health services. This perennially underfunded program has provided basic health care to more than 4.5 million young and low-income women in over 4,600 clinics throughout the nation. Regrettably, Title X is often the only source for basic health care for many uninsured low-income women who fail to qualify for Medicaid. Eighty three percent of women receiving federal family planning services rely solely on clinics funded by Title X for their family planning services. In light of these dramatic statistics, H.R. 4577 fails once again for its meager \$239 million funding stream.

Mr. Chairman, this is a flawed bill which fails in almost every count, but particularly in health research and education. Rather than invest in our nation's potential, this bill tracks a flawed budget resolution which sacrifices our domestic priorities for the benefit of tax cuts, fails to adequately retire national debt and engages in fiscal chicanery. As such, I cannot support the bill as presented.

Mrs. ROUKEMA. Mr. Chairman, I rise today to reluctantly oppose the amendment offered by Representative SCHAFFER. This amendment has a good objective but takes its funding from a valuable program that provides real learning opportunities to so many children and their parents.

Mr. Chairman, I have long called for the federal government to fully fund its commitment to IDEA. During the past four fiscal years, the Republican majority in Congress has increased funding for IDEA by 115 percent, or \$2.6 billion, for the federal share in Part B of IDEA. Even with the increase, however, the funding equals only 12.6 percent of the average per pupil expenditure to assist children with disabilities. We must do better.

Indeed, we passed a bill this year H.R. 4055 that calls for the federal government to meet its obligation to special education within ten years. The bill would authorize increases of \$2 billion a year over the next 10 years to meet the federal commitment of 40 percent by 2010.

The money to fully fund IDEA must come from somewhere. What this means is that some difficult decisions have to be made.

In this case though, reducing the funding for the Even Start Program is the wrong decision. The Even Start Program provides opportunities for parents lacking a high school diploma or GED and their children to receive instruction in basic skills, support for their children's education, and early childhood education for those participating in the program.

There is a great deal of unmet need in the family literacy field. The appropriation in the bill will help ensure we can help more families break the cycle of illiteracy and poverty and become self-sufficient. While we need additional funding for IDEA, we also need to increase spending for quality literacy programs. In fact, by taking money from literacy programs such as Even Start actually defeats the purpose of the programs. We should be trying to reduce the need for special education by investing in early childhood literacy programs.

The best argument against this amendment is that we know that family literacy works. Parents are the key to their child's academic success. The more parents read to their children and actively participate in their education, the greater the probability that their children will succeed in school. We should not be cutting funding for this important program.

I firmly believe that the amount of federal funding that goes to IDEA must be increased. Having said that, however, we need to be responsible about where we get the money to increase funding for IDEA. Even Start is not the place to take money away.

I urge my colleagues to oppose the Schaffer amendment.

Mr. UNDERWOOD. Mr. Chairman, in a time of unprecedented economic growth and surplus, the majority supported bill shortchanges every American citizen in our country. Republicans have systematically cut funding for a number of important initiatives in the Presi-

dent's budget. And, despite the fact that Americans ranked education—over health care, tax cuts or paying down the national debt—as their highest priority for additional federal funding, this bill falls short of providing \$3.5 billion of the President's request for education programs alone.

This bill fails to provide funding for the President's School Repairs initiative of \$1.3 billion in loan subsidies and grants to repair up to 5,000 aging and neglected public schools. Natural disasters and inadequate funding to provide maintenance have contributed to the decay of Guam's aging public schools. As a result, thousands of Guam's students are crowded into makeshift classrooms or in temporary buildings. The most dramatic example of this is the temporary closure of an entire elementary school in my District of Guam. Last year, C.L. Taitano Elementary School was shut down for repair because it could no longer meet the local safety codes required to keep its doors open. In the interim repair period, nearly all the students were shifted to temporary buildings—trailers. This interim is expected to last more than a year. Having classrooms housed in trailers is simply unacceptable. Having an entire elementary school in trailers is an abomination. All American students deserve a decent education; Guam is no exception. Guam's schools are in dire need of repairs now.

This bill fails to support our school children and teachers by providing funding needed for the President's Class-Size Reduction initiative to hire 100,000 new teachers by FY 2005. This in effect repeals the bipartisan agreement on class size reduction and jeopardizes the Federal commitment to hire as many as 20,000 new teachers next year.

This bill cuts funding for ESEA Title I grants for local education agencies by more than \$400 million from the President's request of \$8.4 billion. Title I helps over 11 million disadvantaged school children gain skills in core academic subjects and helps them achieve to high academic standards. This would eliminate services to more than 650,000 low income students. In FY 2000, Guam's schools received \$5.3 million in Title I grants. The FY 2001 request for Guam is \$5.6 million.

This bill cuts \$51 million from the President's request of \$650 million for the Safe and Drug Free Schools Program. Fully funding the President's request would enable the expansion of the Safe School/Healthy Students school violence prevention initiative to an additional 40 school districts.

This bill freezes the FY 2001 appropriations for Bilingual Education to FY 2000 levels. At \$248 million, this is a decrease of \$48 million from the President's request of \$296 million.

Approximately 3.4 million students enrolled in schools through the nation have difficulty speaking English. From 1990 to 1997, we saw a 57% increase in limited English proficient (LEP) students. With continued growth in the school enrollments of LEP students, we will have to turn away more than 100 qualified school districts and deny desperately needed services to approximately 143,000 LEP students.

This bill also shortchanges labor and health programs which will put American workers and seniors at risk. Although the national unemployment rate is at its lowest level in 30 years, not all corners of the United States are experiencing the benefits of a robust economy. In

Guam, unemployment is at 14%, nearly 3.5 times the national average of 3.9%. The unemployment forecast for 2000 is expected to be even higher. We need to safeguard programs that provide training and relief for all American workers.

This bill not only ignores the \$275 million requested increase for the second year of the five-year plan to provide universal re-employment services to all America, it cuts \$593 million or 30% below the President's request and 19% cut below the FY 2000 level.

Seventy-six million baby boomers will begin reaching retirement age eight years from now. The population of those over age 85, who often need the greatest care, is expected to increase by 33% in the next 10 years. The urgency to prepare for the needs of our aging population is critical.

This bill eliminates \$36 million in the HCFA budget for the Nursing Home Initiative. This would safeguard the delivery of quality health care in nursing homes across the nation through state surveying and certification reviews.

This bill eliminates the President's \$125 million request for the Community Access Program to address the growing number of those workers without health insurance. Approximately 44.5 million Americans were uninsured in 1998—24.6 million of those uninsured were workers.

We cannot ignore the needs of our diverse community! The education, health, and social well-being of our nation is at stake. This bill neglects to recognize the most fundamental needs of our communities. For all these reasons, I strongly oppose the passage of this bill.

Mr. PORTER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SHIMKUS) having assumed the chair, Mr. PEASE, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, had come to no resolution thereon.

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REPORT ON WEKIVA RIVER AND TRIBUTARIES IN THE STATE OF FLORIDA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Resources:

To the Congress of the United States:

I take pleasure in transmitting the enclosed report for the Wekiva River and several tributaries in Florida. The report and my recommendations are in response to the provisions of the Wild and Scenic Rivers Act, Public Law 90-542, as amended. The Wekiva study was authorized by Public Law 104-311.