

Crane	Hutchinson	Northup
Crowley	Hyde	Norwood
Cummings	Inslee	Oberstar
Cunningham	Isakson	Obey
Danner	Istook	Olver
Davis (FL)	Jackson (IL)	Ortiz
Davis (IL)	Jackson-Lee	Ose
Davis (VA)	(TX)	Owens
Deal	Jefferson	Oxley
DeFazio	Jenkins	Packard
DeGette	John	Pallone
Delahunt	Johnson (CT)	Pascarell
DeLauro	Johnson, E. B.	Pastor
DeLay	Johnson, Sam	Paul
DeMint	Jones (NC)	Payne
Deutsch	Jones (OH)	Pease
Diaz-Balart	Kanjorski	Pelosi
Dickey	Kaptur	Peterson (MN)
Dicks	Kasich	Peterson (PA)
Dingell	Kelly	Petri
Dixon	Kennedy	Phelps
Doggett	Kildee	Pickering
Dooley	Kilpatrick	Pickett
Doolittle	Kind (WI)	Pitts
Doyle	King (NY)	Pombo
Dreier	Kingston	Pomeroy
Duncan	Kleckza	Porter
Dunn	Klink	Portman
Edwards	Knollenberg	Price (NC)
Ehlers	Kolbe	Pryce (OH)
Ehrlich	Kucinich	Quinn
Emerson	Kuykendall	Radanovich
Engel	LaFalce	Rahall
English	LaHood	Ramstad
Eshoo	Lampson	Rangel
Etheridge	Lantos	Regula
Evans	Largent	Reyes
Everett	Larson	Reynolds
Ewing	Latham	Riley
Farr	LaTourette	Rivers
Fattah	Lazio	Rodriguez
Filner	Leach	Roemer
Fletcher	Lee	Rogan
Foley	Levin	Rogers
Forbes	Lewis (CA)	Rohrabacher
Ford	Lewis (GA)	Ros-Lehtinen
Fossella	Lewis (KY)	Rothman
Fowler	Linder	Roukema
Frank (MA)	Lipinski	Roybal-Allard
Franks (NJ)	LoBiondo	Royce
Frelinghuysen	Lofgren	Rush
Frost	Lowey	Ryan (WI)
Gallegly	Lucas (KY)	Ryun (KS)
Ganske	Lucas (OK)	Sabo
Gedensson	Luther	Salmon
Gekas	Maloney (CT)	Sanchez
Gephardt	Maloney (NY)	Sanders
Gibbons	Manzullo	Sandlin
Gilchrest	Markey	Sanford
Gillmor	Mascara	Sawyer
Gilman	Matsui	Saxton
Gonzalez	McCarthy (MO)	Schaffer
Goode	McCarthy (NY)	Schakowsky
Goodlatte	McCollum	Scott
Goodling	McCrery	Sensenbrenner
Gordon	McDermott	Serrano
Goss	McGovern	Sessions
Graham	McHugh	Shadegg
Granger	McInnis	Shaw
Green (TX)	McIntosh	Shays
Green (WI)	McIntyre	Sherman
Greenwood	McKeon	Sherwood
Gutierrez	McKinney	Shimkus
Gutknecht	McNulty	Shows
Hall (OH)	Meehan	Shuster
Hall (TX)	Meek (FL)	Simpson
Hansen	Meeks (NY)	Sisisky
Hastings (FL)	Menendez	Skeen
Hastings (WA)	Metcalf	Skelton
Hayes	Mica	Slaughter
Hayworth	Millender-	Smith (MI)
Hefley	McDonald	Smith (NJ)
Hill (IN)	Miller (FL)	Smith (TX)
Hill (MT)	Miller, Gary	Smith (WA)
Hilliard	Miller, George	Snyder
Hinchey	Minge	Souder
Hinojosa	Mink	Spence
Hobson	Moakley	Spratt
Hoeffel	Mollohan	Stabenow
Hoekstra	Moore	Stark
Holden	Moran (KS)	Stearns
Holt	Moran (VA)	Stenholm
Hooley	Morella	Strickland
Horn	Murtha	Stump
Hostettler	Nadler	Sununu
Houghton	Napolitano	Sweeney
Hoyer	Neal	Talent
Hulshof	Nethercutt	Tancredo
Hunter	Ney	Tanner

Tauscher	Udall (CO)	Weldon (FL)
Tauzin	Udall (NM)	Weldon (PA)
Taylor (MS)	Upton	Weller
Taylor (NC)	Velázquez	Wexler
Terry	Vento	Weygand
Thompson (CA)	Visclosky	Whitfield
Thompson (MS)	Walden	Wicker
Thornberry	Walsh	Wilson
Thurman	Wamp	Wise
Tiahrt	Waters	Wolf
Tierney	Watkins	Woolsey
Toomey	Watt (NC)	Wu
Towns	Watts (OK)	Wynn
Trafficant	Waxman	Young (AK)
Turner	Weiner	Young (FL)

NOT VOTING—12

Buyer	Hilleary	Scarborough
Conyers	Martinez	Stupak
Cubin	Myrick	Thomas
Herger	Nussle	Thune

□ 1701

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HERGER. Mr. Speaker, on rollcall No. 63, I was inadvertently detained. Had I been present, I would have noted "yes."

Mr. THUNE. Mr. Speaker, I was unavoidably detained for rollcall vote 63 while meeting with constituents. I would like the RECORD to reflect that I would have voted "aye" on that vote for final passage of H. Con. Res. 37.

APPOINTMENT OF CONFEREES ON H.R. 800, EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 800) to provide for education flexibility partnerships, with a Senate amendment thereto, disagree to the Senate amendment and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. CLAY

Mr. CLAY. Mr. Speaker, I offer a motion to instruct conferees.

Mr. GOODLING. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. Points of order are reserved.

The Clerk will report the motion.

The Clerk read as follows:

Mr. CLAY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 800, an Act to provide for education flexibility partnerships, be instructed—

(1) to disagree to sections 6(b), 7(b), 9(b), and 11(b) of the Senate amendment, (adding new subsections to the end of section 307 of the Department of Education Appropriations Act of 1999), which is necessary to ensure the first year of funding to hire 100,000 new teachers to reduce class sizes in the early grades; and

(2) to agree that additional funding be authorized to be appropriated under sections 8

and 10 of the Senate amendment for the Individuals with Disabilities Education Act, but not by reducing funds for class size reduction as proposed in sections 6(b), 7(b), 9(b), and 11(b) of the Senate amendment.

The SPEAKER pro tempore. The gentleman from Missouri (Mr. CLAY) and the gentleman from Pennsylvania (Mr. GOODLING) each will control 30 minutes.

The Chair recognizes the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, this motion would instruct the conferees to oppose the Senate amendment offered by Senator LOTT that reneges on last year's agreement to fund the Clinton-Clay class size reduction plan.

Last year we made a \$1.2 billion down payment on a plan to help communities hire 100,000 new, well-qualified teachers over the next 7 years. All across this country, parents and students who are facing overcrowded classrooms are counting on Congress' commitment to reduce class sizes.

The Lott amendment reneges on this commitment, and cynically pits one group of parents against another for money that Congress has already designated to be spent for class size reduction.

All major education groups oppose this insidious attack on the class size reduction plan. The National Parents and Teachers Association, the American Federation of Teachers, the Chief States School Officers and the National Education Association, even Governor Ridge of Pennsylvania, according to press accounts, opposes the Lott amendment because it jeopardizes passage of the Ed-Flex bill.

Finally, Mr. Speaker, I believe President Clinton would veto a bill that undermines funding for class size reduction. These new teachers are needed in the early grades, to reduce class size to no more than 18 children. Achieving the goal of 100,000 new teachers will ensure that every child receives personal attention, gets a solid foundation for further learning, and is prepared to read by the end of the third grade.

Department of Education data shows that students in smaller classes in North Carolina, Wisconsin, Indiana and Tennessee outperformed their counterparts in larger classes. A study of Tennessee's Project Star found that students in smaller classes in Grades K through 3 earned much higher scores on basic skills tests. Based on this solid record of achievement, the Clinton-Clay class size reduction initiative should be granted a long-term authorization.

Mr. Speaker, this motion further instructs the conferees to insist that additional funding be appropriated for the Individuals with Disabilities Education Act, IDEA. Rather than forcing one vital program to compete for funds against another, we should instead pursue a greater overall investment in public education.

Mr. Speaker, I urge Members to support this motion and, by doing so, give both the class size reduction initiative and IDEA the opportunity to be funded at an appropriate level.

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

The SPEAKER pro tempore (Mr. BRADY of Texas). Does the gentleman from Pennsylvania (Mr. GOODLING) have a point of order?

Mr. GOODLING. Mr. Speaker, I withdraw my point of order.

The SPEAKER pro tempore. The gentleman withdraws the point of order.

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

Mr. Speaker, I rise in opposition to the motion to instruct conferees to drop the Lott amendment.

One does not usually go into a game showing how many aces they have and how many jokers they have. One usually does that when they get involved in the game or when they start their negotiating. One does not usually drop their amendments before they ever get there.

I have to kind of laugh about all of the rhetoric about IDEA. They have heard that speech that was just given for 23 years, and they did not get anything until 3 years ago. They were promised that if we give them from the Federal level 100 percent mandate in special ed, they will get 40 percent of the excess money to fund it; just the excess money to fund it. When I became Chair, they were getting about 6 percent. We will probably be up to about 12 percent; a long way from 40 percent.

Can we imagine what they could have done with class size reduction, what they could have done with refurbishing classrooms and building new classrooms, had they been getting millions and millions and millions of dollars extra year after year after year? They would not be looking to us.

They are smart enough out there now. They got burned on IDEA and burned badly, and they realize that that is the thing that drives their property tax up, up, up. That is the thing that takes all of their money away from being able to do all the things they want to do in reducing class size or anything else that they want to do to improve education in their district.

They are smart enough to know that they are not going to come here and say for one year we are going to give them 100,000 teachers. We are not going to pay for all the fringe benefits, et cetera; that is their responsibility. We will be gone in a year's time and then they are stuck. They would have put on those teachers.

Just like the big deal we are going to have 100,000 new police. How many stepped up to the plate? About one-third. Why? Because they would have put them on themselves if they had had the money, but they knew we would be gone and then they are stuck with them, and in all probability in a negotiation where they cannot get rid of

them, even though they cannot find a way to pay for them.

□ 1715

So let us not use IDEA in this debate, because they know that that is a phony argument that we have heard before we became the majority for 20 out of 23 years.

What has the situation been in California? California said on their own, just as my Governor says on his own, we are going to reduce class size. They spent \$1 billion last year, they are going to spend \$1.5 billion this year.

What did they get? I will tell Members what they got. In the areas where they need the best teachers, they got mediocrity. That is all they got, and probably not very many with certifications; and even those with certifications, very little other than mediocrity, for \$1 billion last year and \$1.5 this year.

So let us not fall into the trap that somehow or other we will look out for IDEA down the line. That is the President's whole initiative. He cuts every program in his budget that works. Why? Because he has a feeling that, oh, the appropriators will come along and appropriate for that. He does not have to do that, he can get all these other silly ideas of what we do to improve education.

So let us not fall for it. Vote against the motion to instruct.

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

Mr. CLAY. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. KILDEE).

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

Mr. Speaker, I rise in strong support of the motion to instruct conferees offered by my ranking member, the gentleman from Missouri.

As Members know, the Senate version of the Ed-Flex bill includes a provision which allows school districts to take funds targeted in last year's appropriation bill for class size reduction and use it for special education. This provision should be struck by the conferees and we should send that message today.

The Consortium for Citizens with Disabilities has written to the gentleman from Missouri (Mr. CLAY) supporting this motion that we instruct conferees.

Mr. Speaker, I include for the Record the letter from the Consortium.

The letter referred to is as follows:

CONSORTIUM FOR
CITIZENS WITH DISABILITIES
March 23, 1999.

Hon. WILLIAM CLAY,
Committee on Education and the Workforce,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE CLAY: On behalf of the members of the Education Task Force of the Consortium for Citizens with Disabilities, we write to you today in support of your motion to instruct conferees to strike the Lott Amendment to the Ed-Flex bill and to increase funding for the Individuals with Disabilities Education Act (IDEA).

CCD is gravely concerned that children with disabilities are being used as pawns in a political game. The Clay Motion to Instruct addresses this concern because it does not pit the interests of children with disabilities against the interests of their classmates.

Over the past three years, IDEA funding has grown by 85 percent. Unfortunately, given the increase in students in special education, the federal share accounts for only ten percent of the additional costs associated with educating students with disabilities. In the 1997 Amendments to IDEA, Congress recognized the need for additional support for general education. Now states can use twenty percent of new IDEA funds for general education activities. CCD supports this provision because it is designed to assist schools better meet their obligations to all students.

Every child in America benefits from increased education funding. CCD applauds the efforts of members of the House of Representatives and the Senate on both sides of the aisle who are committed both to securing additional funding for IDEA and to protecting the rights of children with disabilities to a free, appropriate public education. We urge members of the House of Representatives to support the Clay Motion to Instruct on the Ed-Flex bill.

Thank you for considering our views.

PAUL MARCHAND,
The Arc.
KATHERINE BEH NEAS,
Easter Seals.

Mr. Speaker, full funding of IDEA is a goal I have been committed to since I arrived in Congress. Do we need to provide 40 percent of the excess costs of educating a child with a disability? Absolutely. Should this be one of our priorities for Federal education funding? Absolutely.

As my chairman knows, I have joined him and my other colleagues in demanding additional funding for special education. Supporting the needs of disabled children and providing them with the chance to become productive, participating members of society is extremely important. However, it should not be at the expense of other Federal education programs.

Last year's appropriations bill created the class size reduction program, and recognized the commitment to hire 100,000 teachers over the next 7 years. That bill provided funding to hire the first 30,000 teachers, and put us on the path to reducing class size in grades 1 through 3 to an average of 18. This is an essential tool in the education reforms of States and localities. We should not jeopardize this funding only months before it is scheduled to go out.

The issue of IDEA funding is not a Democratic or a Republican concern. There has been strong bipartisan support for the substantial increases in funding for IDEA in recent appropriation bills, and I believe this will continue. I hope that the motion to instruct conferees of the gentleman from Missouri (Mr. CLAY) attracts the same type of support today.

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

Mr. Speaker, I just want to remind everyone that every study that has ever been printed has indicated that the number one issue as to whether a

child does well or not is the quality of the teacher in the classroom; not the numbers, but the quality of the teacher.

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

Mr. CASTLE. Mr. Speaker, I thank the chairman of the Committee on Education and the Workforce for yielding time to me. I am pleased to be able to speak to this briefly.

I do rise in opposition to the motion to instruct conferees. We as House Members have, I think, done the right thing. I think we passed a good piece of legislation. Yes, I know there were some amendments from the other side that they would like to have had put in which were not put in, but essentially I think we have passed a good bill.

Let us remember what it was we passed, it was education flexibility. It really had nothing to do with IDEA per se. It had nothing to do with the 100,000 teachers per se. Over in the Senate, they have taken the whole provisions with the \$1.2 billion for the reduction of class size, which is really the hiring of more teachers, and they have added a provision to allow IDEA to get involved with that.

That may or may not be a good thing to do. It is something which I think should be discussed at the conference. But I do not think we should have this motion to instruct conferees as part of that. I think it may upset the equilibrium enough so we might not even get to the conference on what is a good piece of legislation. I would hope we would remember that.

I think this is an instructive discussion we should have in terms of what we should do with respect to the conference. The bottom line is, we have a piece of legislation which was highly popular. We have a piece of legislation reported out of our committee with 33 yes votes and only 9 no votes. We have a piece of legislation which passed the House of Representatives just a week later which received 330 yes votes and only 90 votes against it. We have a piece of legislation which has been approved by each and every Governor of every State in the United States of America. We have a piece of legislation which the Secretary of Education and the President of the United States has said is a good piece of legislation.

There are differences between the House version and the Senate version, some of which are not touched in this motion to instruct conferees, which we are going to have to address as well.

This is a bipartisan bill. We have a very strong House position with respect to the bill. Quite frankly, I do not think getting involved in a technical motion to instruct conferees, to undermine what they have done in the Senate before we get there, that we can negotiate fairly as a House team, is the way to go.

I would encourage each and every one of us, Republicans and Democrats, to stand united in opposition to the mo-

tion to instruct conferees so we can go into that conference, get this bill done, and have a real achievement for the greater good of education in the United States of America.

Mr. CLAY. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Speaker, I rise in support of the Clay motion to instruct conferees on H.R. 800, to preserve our commitment to the class size initiative agreed to in last year's budget.

No one here disagrees with the need to provide additional funding for the Individuals with Disabilities Education Act program. However, we should not take away from other programs, like the class size initiative, in order to fund idea.

Our public schools have many critical needs, but we should not rob Peter to pay Paul. The Lott amendment as adopted by the Senate to their version of Ed-Flex allows localities to shift funds from the class size initiative to fund special education. We have seen continual efforts like this to shift funding from other educational accounts to IDEA without changing our bottom line investment in education.

Opponents of this educational funding shell game miss the point. The needs of students and schools are such that we cannot afford to back away from our commitment at the Federal level to properly fund public education.

Mr. Speaker, all students benefit where there is an appropriate student-to-teacher ratio. Discipline problems are minimized, the students receive the individual attention they need, students with special needs who are mainstreamed are able to participate in a more meaningful way because the teacher is able to give them the additional assistance they need.

I urge my colleagues to support the class size initiative and support the Clay motion to instruct.

Mr. Speaker, the gentleman from Michigan (Mr. KILDEE) introduced for the Record the letter from the Consortium of Citizens with Disabilities. I think it would be instructive to read the letter to the gentleman from Missouri (Mr. CLAY) on their behalf:

On behalf of the members of the Educational Task Force of the Consortium for Citizens with Disabilities, we write to you today in support of your motion to instruct conferees to strike the Lott amendment to the Ed-Flex bill and to increase funding for the Individuals with Disabilities Act.

CCD is gravely concerned that children with disabilities are being used as pawns in a political game. The Clay motion to instruct addresses this concern because it does not pit the interests of children with disabilities against the interests of their classmates.

Over the past three years, IDEA funding has grown by 85 percent. Unfortunately, given the increase in students in special education, the federal share accounts for only ten percent of

the additional costs associated with educating students with disabilities. In the 1997 amendments to IDEA, Congress recognized the need for additional support for general education. Now States can use twenty percent of new IDEA funds for general education activities. CCD supports this provision because it is designed to assist schools to better meet their obligations to all students.

Every child in America benefits from increased education funding. CCD applauds the efforts of the Members of the House of Representatives and the Senate on both sides of the aisle who are committed both to securing additional funding for IDEA and to protecting the rights of children with disabilities to a free, appropriate public education.

We urge Members of the House of Representatives to support the Clay motion to instruct on the Ed-Flex bill.

Thank you for considering our views.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Mr. Speaker, I thank the gentleman for yielding time to me. I rise to speak in opposition to the motion to instruct the conferees.

If we take a look at simply what the Lott amendment does, it allows local schools and local administrators to make a very basic decision. It provides local school districts with a choice. It says, if you want to focus on reducing class size, you can use the money to reduce class size. But perhaps if you have already done that and your class sizes are small and you have a pressing need in special education, you can make that choice.

So it is a very simple process of saying, we are committed to providing additional resources, additional funding for education, but we believe that the decision needs to be made at the local level. That is what Ed-Flex is about. Ed-Flex is about moving decision-making to the local level, and it is about reducing red tape and bureaucracy so that we can actually move more dollars from the Washington bureaucracy into the classroom, and as we do that, we can address class size, we can address special ed, we can address teacher training, we can address technology, and a whole other range of problems and opportunities that local school districts face today.

Let us keep moving in the direction of enabling local administrators and local parents and local teachers to do what they believe is best for education in their school districts. Let us not hamper and hinder an education bill that is moving in the right direction by coming right back with the same old Washington model, which is more rules and regulations and directions.

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise as a very strong supporter and coauthor of the education flexibility bill. The gentleman

from Delaware (Mr. CASTLE) and I have worked for 8 months on this legislation that all 50 Governors want, that the President of the United States supports, that passed out of our committee in a bipartisan way 33 to 9, that passed the House Floor 330 to 90, and that passed the United States Senate by a vote of 98 to 1. This is very sound, innovative, bold educational reform that helps move public education forward in an innovative way.

As a strong supporter of this education flexibility bill, I also rise in support of the motion to instruct, and do so for two reasons.

One reason is because I want to have a clean bill, a simple bill that addresses education flexibility, which is about an old value and a new idea, pure and simple. It is about the old value of local control, local parents making decisions, and the new idea of added flexibility and accountability to students for student performance, and will remove the handcuffs of regulations and paperwork from the Federal and State levels if we see student performance increase.

Let us keep it to Ed-Flex, and not add on superfluous amendments to this very clean, very bipartisan, and very widely supported bill.

□ 1730

The second reason is, we should have a clean debate on the two issues included in the Lott amendment that we are debating and we are advocating that that be dropped in conference. One is IDEA funding, which I strongly support; and the second is more teachers, more quality teachers in our schools, which I strongly support.

We in Congress are not saying let us pick between fixing Medicare and fixing Social Security. We are saying let us fix both of them.

We should also be saying in education, the number one domestic issue in America today, let us address IDEA, the Individuals with Disabilities Education Act, and let us add more quality and certified teachers for what they should be teaching in our schools and insist on quality.

We should not pit these two programs against each other, Mr. Speaker. We should not play politics with those two programs when we have a clean and widely supported and hugely creative Ed-Flex bill.

Let us pass this Ed-Flex bill. Let us be bipartisan. Let us get this to the President's desk and then month by month and day by day let us debate these two worthy programs on their own merits.

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. SOUDER).

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

In response to my colleague and friend, the gentleman from Indiana (Mr. ROEMER), there is a difference between claiming this would be a clean

bill and actually making it so that it does in real dollars what this hypothetically does.

The goal of Ed-Flex was to give flexibility to local school systems and States to have flexibility with their money. Senator LOTT's amendment in the Senate actually allowed flexibility in the money.

The Democratic motion to instruct conferees in article 2 says that additional funding be authorized. That is not real money. That is much like a sense of Congress that we should give more money. It deletes the part that actually gives the flexibility to the State and locals to choose.

The gentleman from Indiana said that Congress should not be dictating what the local school districts are doing between teachers and IDEA. Yet, at the same time, that is exactly, if this motion to instruct conferees would pass, what we are doing, because Congress should not dictate whether or not they should hire teachers. Congress should not dictate whether they should use it for IDEA. Congress should not dictate whether it is if computers. The point of Ed-Flex is to let the districts choose.

The Lott amendment gave flexibility so that, in last year's appropriations bills, not that they have to use it for IDEA, but that they can use it for IDEA in real dollars. This is real flexibility. How can my colleagues claim to be for this bill and yet instruct conferees before we even start that they cannot have flexibility with the appropriations.

The point of this bill is to give that local flexibility, especially since, on March 4, there was a Supreme Court decision regarding the health care related to school performance of Garrett Frey in Iowa. That health care is going to cost that school district \$30,000 to \$40,000 a year just for the nurse.

The party that was in control of this Congress for 40 years and during the whole period of IDEA did not put necessary funding in. We are only funding it at 12 percent. With this court decision, they needed even more. Here we have the opportunity to put the money in, and they are against allowing the schools the flexibility.

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. Mr. Speaker, I rise in support of the Clay motion to instruct conferees. I am on the Committee on Education and the Workforce, and I certainly have been working with both sides of the aisle to make sure that we had a good Ed-Flex bill go out. It troubles me greatly that now we are adding something else on that was not there in the beginning.

No more than an hour ago, I met with 25 students from New York Tech. These were students that certainly did very well because of IDEA. IDEA is something that helped my son get through high school and now college. So I can say that I am certainly a sup-

porter of IDEA. I am certainly a supporter of bringing the funding up to 40 percent.

What scares me is that we are pitting this bill against another bill, IDEA and Ed-Flex. We should be working on all levels to give our children the best education that we can. We should not be fighting about this. Our children are at stake.

I do believe that we should be dealing with IDEA on a separate issue. We should be dealing with our teachers on a separate issue. Let IDEA go. Let it go forward to the schools and to the States with the intention of what Congress passed and also what the Senate passed.

Mr. Speaker, all of us on our committee care very much about the children. All of us on the Committee on Education and the Workforce want to do the right thing. Let us not start fighting about this, because the ones that are going to get hurt in the end are going to be our children. Let us not let politics get in the way of this. We just came back from Hershey, hopefully to get along with each other, and this is not the right way to start it.

I support Ed-Flex as it is. I certainly will support IDEA for full funding, and I support 100,000 new teachers. Most of us here will do that. Let us not tear it apart.

I ask my colleagues to support the Clay motion, and let us deal with all the other issues on a separate basis.

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the gentleman from New Hampshire (Mr. BASS).

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

Mr. Speaker, we have heard a lot of discussion today about the issue of flexibility. We have heard speakers who oppose allowing the localities to make the choice as to whether to spend money on hiring new teachers or for IDEA, that this is somehow a superfluous amendment. Nothing could be less superfluous than this amendment. This is a very important issue for every school board in this country.

We have heard discussion about the issue of let us pick or we should not be picking. We are not making the choices here in Congress, nor should we be making the choices. The fact is, Mr. Speaker, that we should give local school boards the right to decide whether they need to reduce class size or whether they need to provide more funding for IDEA.

I support full funding of IDEA, but I am willing, if you will, to put my money where my mouth is and to say in this forum here that we should give local school boards every opportunity they possibly can to put scarce resources into IDEA. Indeed, Mr. Speaker, a vote for this motion is a vote to deny local school boards that option.

It does not pit one group against another. What it does is it gives the local school boards the opportunity to do what is best for their own constituencies. If class size is not the top priority for a local school board, then it

should be something else. I think IDEA should be the highest funding priority for this Congress.

So, Mr. Speaker, I rise in opposition of the motion to instruct. I support very strongly the Lott amendment. It provides local school districts with an additional \$1.2 billion, yes, to hire more teachers if they choose, and, yes, to provide more money for IDEA.

Please oppose this motion to instruct and send this bill to conference so that we can include the Lott amendment in the final of the version of the bill which we send to the President.

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER).

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman from Missouri for yielding me this time.

Mr. Speaker, I rise in strong support of this motion to instruct, and I appreciate what people have said on the other side. But the fact of the matter is that the program to provide for 100,000 teachers over the next several years in the classrooms of this country is a program that was passed by this Congress. It is a high priority for the President of the United States. Now what we see is an attempt in the Senate to try and renege on that promise, to torpedo that program because the other side does not like the idea of using this money to reduce class sizes.

Now what they have decided to do is they are going to pit disabled children's education against the reduction in class sizes. This is a program for the purposes of reducing class sizes. Already one of the criticisms is that there is not enough money to do it properly.

So if some States do not want to use it for that purpose, then the money can be reallocated to the States who have a crying need to lower their class sizes, and they can get about that business. This is not a mandatory program. It is not required that one takes money from the Federal Government.

The notion that somehow that this is really about helping with IDEA, it is interesting that, in the budget resolution that the Republicans are going to bring to the floor, there was an attempt there to fully fund IDEA, and all of the Republicans voted against it.

So they say they are all upset that we have only funded 10 percent or 12 percent since we made the promise to fully fund the excess cost, and yet when they had the chance in the budget resolution to vote it for it, they voted against it.

So let us understand what is going on here. There is an attempt here to derail and deny a President a program that is very popular among parents, among school administrators and others to try and reduce class size, because reduced class size does appear to be having an impact.

I appreciate what the gentleman said, it is about the quality of teacher. Nobody has fought harder for the quality of teacher. But I have met an awful lot of good teachers, an awful lot of very good teachers who will tell my colleagues that it is very difficult to do their job when they are teaching 35 and 40 students at different grade levels.

The point is this, that the Senate can try and derail that presidential program, or we can deal with Ed-Flex straight up, which we ought to do.

So let us just understand that that is what is taking place here. This is not about IDEA other than to use it as a battering ram against the presidential program that many, many school districts are waiting to be able to take advantage of. Schools do not want to do it, then do not do it.

But the fact of the matter is that we should do full funding of IDEA. But when my colleagues had their opportunity to do it, they did not do it. We could have it in the budget resolution on the floor this week, but the choice was not to do that. The choice was to go off and fund star wars or whatever else they are doing with the money that they have.

So let us keep the two things separate and understand that this is about Ed-Flex. We ought to pass an Ed-Flex bill. We ought to send that Ed-Flex bill to the President of the United States, and we can come back, and we can keep our promise on the 100,000 teachers. Then we can deal with IDEA when the time comes for us to deal with that in the appropriations bill.

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, I am surprised at the gentleman from California (Mr. GEORGE MILLER) who just preceded me. For 40 years, the Democrats controlled this House. The most they ever gave IDEA was 7 percent.

We came in. I was chairman of the committee that sat literally the school groups and the parent groups together with the gentleman from Pennsylvania (Chairman GOODLING), locked them in the room and said no bread or water until they come out.

My colleagues want to help IDEA? Listen to Alan Burson, San Diego city schools, a former Clinton appointee. The unions and the trial lawyers are ripping off IDEA. My colleagues give them more money, and the local trial lawyers are going to come in and rip them off. Talk to our new Governor, Gray Davis. Ask him what the problem is with IDEA. It is his number one problem.

We have a problem of losing good teachers. Carolyn Nunes just happens to be my sister-in-law. She is in charge and the director for all special education of all San Diego city schools. She is losing good teachers because the trial lawyers are forcing these teachers, who just want to help children, they want to help children, they are

not trial lawyers, they are being forced into the courts, and they are leaving because they are getting battered by the damn trial lawyers. Help us. Help us combat that.

My colleagues talk about 100,000 teachers. My colleagues wanted 100,000 teachers in the President's bill, a big political move, but they wanted to raise taxes \$139 billion. They wanted government to control it. We said no. No new taxes of \$139 billion. We are going to send the money directly to the schools, and it is going to be under the caps. If my colleagues want to break the budget, be my guest. We feel that a balanced budget is necessary and to handle that.

Ed-Flex. It is amazing how difficult it is to pass a bipartisan bill that the President supports, that Republicans support. But yet there is those who still want government control, government control.

Look up www.dsaua.org. That is the Democrat socialist party. Look under the progressive caucus and their 12-point agenda: government control of health care, government control of education, government control of private property, to raise taxes the highest level ever, and cut defense by 50 percent. That is what we are fighting on here. We are trying to give flexibility, not bigger government.

□ 1745

Mr. CLAY. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Speaker, I rise in support of the motion to instruct.

We hear quite often these days that Americans are disenchanted with politics, disgusted with politicians, and feel disconnected from Washington, D.C. Is it any wonder, when the Senate leadership makes a commitment to reduce class size and tells schools to plan for those funds and then reneges on that promise? Is it any wonder that Americans do not trust politicians in Washington, D.C.?

Oregonians and Americans want class size reduction, not Senate amendments that take this historic measure away from our children. Nor do Americans want to pit a good public education for all children against a good education for special needs children. We can do both. We are a country that can afford to do both. We need to do both and we can afford to do no less.

Studies show that when we reduce class size in the early grades and give students the attention they deserve, the learning gains last a lifetime. Only 2 nights ago I was having dinner with two schoolteachers, and they were planning for next year. School districts right now are making their plans for next year. Right now. And they were uncertain whether they were going to get the funds for class size reduction. Now, they do not understand parliamentary procedure, but they are deeply concerned.

Each school year comes only one time in a child's life. Johnny will have

only one pass at first grade. Sally will have only one pass at second grade. There will be only one pass at third grade for each child.

Decades ago we issued a promissory note to educate Americans with disabilities. Last year we issued a promissory note to America's children to reduce class size and to improve public education. To borrow a phrase, Mr. Speaker, when these children come back to this Congress to redeem those promissory notes, will we stamp them "insufficient funds"? We cannot do that. We cannot afford to do that.

Mr. Speaker, we can afford to educate all children and special needs children. Let us not put partisanship and political battles in front of real progress for America's schoolchildren. Let us honor the commitment we have already made to our schools. That way we start the effort to reduce class size and we keep a crucial promise we have made to our children.

Mr. GOODLING. Mr. Speaker, what is the division of time at the present time?

The SPEAKER pro tempore (Mr. BRADY of Texas). The gentleman from Pennsylvania (Mr. GOODLING) has 13 minutes remaining, and the gentleman from Missouri (Mr. CLAY) has 9½ minutes remaining.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. ISAKSON), our newest member on the committee.

Mr. ISAKSON. Mr. Speaker, I rise in opposition to the motion to instruct, and as I listen to the debate from both sides, I think both sides would really agree with voting against instructing for the following reason.

For whatever its intention, this particular amendment forces us to take a choice between a direction of spending money on teachers or on IDEA, when in fact it was this House, when it passed the Educational Flexibility Act, which passed an act that in seven Federal programs, including Title I, gave waivers of local and State rules to local systems to spend money for the betterment of children. It did not deal with 100,000 teachers, nor did it deal with the funding of IDEA.

I think both sides understand that whether or not we continue the commitment on teachers will be dealt with later in authorization; whether or not we rise to fund IDEA will be dealt with later. But today this House has the chance to stand firm behind a bill that it passed which in fact caused the Senate to take action.

Notwithstanding whatever our opinion of the amendment may have been, we should leave here united behind the House message, which was flexibility to local schools, waivers of rules to allow them to be able to do what they think is best. Let us debate later, and at the appropriate time, how many more teachers we fund for the classroom or where the IDEA money comes from.

And just so it is clear, it is really not appropriate on an instruction to all of

a sudden hire 100,000 teachers, spend \$3.6 billion, which I understand is the cost, and not even consider the mandate of additional benefits and supplements to local systems, plus whether or not there will even be an ongoing commitment in the future.

I would submit that for us to continue what this House began, we should send back the message that we are for educational flexibility, we should have our conferees stand firm for that which we passed, and we should not place ourselves or anyone else in the position of picking over children or teachers, all for the sake of politics.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Speaker, I thank the chairman for yielding me this time.

It was interesting listening to this discussion today on a bill that is geared to give schools more flexibility. The first argument against was we should not rob Peter to pay Paul.

Now, as I looked at this bill or this language from Senator LOTT, it says "you may". It does not say "you shall". Now, if we are robbing Peter, that means we are taking it from him and we are giving it to Paul. That is not happening.

It is interesting who is doing the robbing. The language we are now being asked to include is robbing our communities of their wisdom, it is robbing our schools of fixing their priorities if they choose to.

Then we have the argument that we are trying to deny the President his program. I fault all governors and Presidents from adequately funding existing programs or fixing them. They are always wanting new ones because they can put their names on them. If we are in the business of legacies, then we are not in the business of helping schools.

The more flexibility we give to schools, I want to tell my colleagues, I have faith that education will improve. We are 7 percent of the money and 70 percent of the paperwork, teachers and administrators tell me. Are we the savior? No, we are the problem. So the more flexibility we give them, the more we allow local decision-making progress, the better the quality of education will be.

Nobody is robbing Peter to pay Paul. This language robs local districts to choose if their wisdom tells them they should.

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

Mr. Speaker, unfortunately, my colleagues have put the conferees on this side in a very difficult position, because what basically they have done is opened up a debate and a discussion that should not have been opened up. And I would imagine that these conferees from this side will be told quite a few things by the conference which otherwise would not have happened. Unfortunate. Poor judgment. Nevertheless, that is what has happened.

Mr. Speaker, I encourage everyone to vote "no" on the motion to instruct.

Mr. CLAY. Mr. Speaker, I yield myself the balance of my time.

In regards to that last statement, let me say that we on this side did not open this debate. It was Senator LOTT who opened the debate. And this motion to instruct will correct the debate that Senator LOTT opened.

Mr. Speaker, let me read something from the Secretary of Education, Richard Riley, in regards to this particular problem that we are dealing with. Secretary Riley says, "I am deeply disappointed that Congress took steps in the wrong direction over the last 2 days as it failed to make a long-term commitment to reduce class size. Both the House and the Senate had opportunities to let local school districts know that funds will continue to be available, so that over 7 years 100,000 teachers can be hired to reduce class sizes in grades 1 to 3 to 18 students per teacher. However, they did not only fail to do that but instead, in the case of the Senate, retreated from the bipartisan agreement reached last year. There is nothing more timely or important than giving parents and teachers the reassurance that their children will be able to learn in smaller classes."

And Secretary Riley says, "I urge Congress to drop the amendments that undermine last year's bipartisan agreement to reduce class size and reach agreement on the Ed-Flex bill with strong, responsible accountability provisions. It is unfortunate that the first education debate of this Congress ended in partisan efforts instead of addressing the serious issues confronting our Nation's schools. Our students, parents and teachers want, need and deserve better."

Mr. Speaker, I do not understand the switch in the Republican position on 100,000 new teachers to reduce classroom sizes. Last year the Republican leadership, including Speaker Newt Gingrich, the majority leader, the gentleman from Texas (Mr. DICK ARMEY); and chairman of the Committee on Education and the Workforce, the gentleman from Pennsylvania (Mr. BILL GOODLING) gave glowing praise to the concept of 100,000 new teachers and voted to start on the 100,000 new teachers; voted for \$1.2 billion to start funding the 100,000 new teachers.

On October 15 of 1998, President Clinton and congressional budget negotiators reached agreement on a bill for 1999. Among the programs included in that agreement was \$1.2 billion invested to hire 100,000 teachers to reduce class sizes across America. Here is how the Republican leaders described the 100,000 teachers legislation at the time.

Former Speaker Newt Gingrich. "We said the local school board would make the decision. No new Federal bureaucracy, no new State bureaucracy, not a penny in the bill that was passed goes to pay for bureaucracy. All of it goes to the local school districts." Then House Speaker Newt Gingrich, a Georgia Republican, called it "A victory for the

American people. There will be more teachers, and that is good for all Americans."

The majority leader, the gentleman from Texas (Mr. DICK ARMEY), when asked what he would say are the key Republican achievements of this bill, responded, "Well, I think quite frankly I am very proud of what we did and the timeliness of it. We were very pleased to receive the President's request for more teachers, especially since he offered to provide a way to pay for them. And when the President's people are willing to work with us, so that we can let the State and local communities take this money, make these decisions, manage that money, spend the money on teachers as they saw the need, whether it be for special education or for regular teaching, with the freedom of choice and management and control at the local level, we thought this was good for America and good for the schoolchildren. We were very excited about the move toward that end."

That is the end of the quote of the gentleman from Texas (Mr. DICK ARMEY). They were excited about hiring 100,000 new teachers last October.

And the chairman of this committee, of the Committee on Education and the Workforce, the gentleman from Pennsylvania (Mr. BILL GOODLING). Let us see he said about it. He said, "It is a huge win for local educators and parents who are fed up with the Washington mandates, red tape and regulation." He is talking about the mandating of 100,000 new teachers. That is his quote.

So, Mr. Speaker, I say to my colleagues, if they are for reducing classes, if they are for giving children more individualized attention, if they are for improving student achievement, they must support the Clay motion to instruct.

□ 1800

We should never pit one group of parents against each other to score political points. The disability community and the Chief States School Officers and the National PTA support this motion.

We have promised America's schoolchildren 100,000 new, well-qualified teachers. This motion demonstrates that we intend to keep that promise, and I ask my colleagues to support the motion to instruct.

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

Mr. GOODLING. Mr. Speaker, I ask unanimous consent for an additional 30 seconds since my name was used.

Mr. CLAY. Mr. Speaker, I object. He had his time. I object to the request.

The SPEAKER pro tempore (Mr. BRADY of Texas). Objection is heard.

Mr. PAYNE. Mr. Speaker, I rise in support of this motion to instruct. Mr. LOTT's amendment that was included in the Senate passed version of the Education Flexibility Partnership Act would gut the ability of schools to hire more teachers for our classrooms.

The Republicans would like you to believe that this amendment will help our schools

more because funds would be reallocated toward special education. Pitting one education priority against the other is bad public policy and bad politics. This is an attempt by the Republicans to have American people believe that education is a priority in the GOP.

But if you look closely at the Budget they have come up with, it is obviously not the truth. While they may have increased education funding by \$500 million above the 1999 level for elementary and secondary programs, they have decreased funds by cutting funds for the Pell Grants, Work Study and other programs for low-income college students.

Democrats and true education advocates know that the key to improving education in this country cannot be achieved by picking and choosing programs to adequately fund. We must ensure that the entire funding level for education programs is funded at an adequate level and only then will we see true improvements in achieving among our students. Americans must realize that we truly value all education initiatives and we do not pit one against the other.

I urge members to vote for this motion to instruct.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Missouri (Mr. CLAY).

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 205, nays 222, not voting 6, as follows:

[Roll No. 64]

YEAS—205

Abercrombie	Clyburn	Gejdenson
Ackerman	Condit	Gephardt
Allen	Conyers	Gonzalez
Andrews	Costello	Gordon
Baird	Coyne	Green (TX)
Baldacci	Cramer	Gutierrez
Baldwin	Crowley	Hall (OH)
Barcia	Cummings	Hastings (FL)
Barrett (WI)	Danner	Hill (IN)
Becerra	Davis (FL)	Hilliard
Bentsen	Davis (IL)	Hinchey
Berkley	DeFazio	Hinojosa
Berman	DeGette	Hoeffel
Berry	Delahunt	Holden
Bishop	DeLauro	Holt
Blagojevich	Deutsch	Hoyer
Blumenauer	Dicks	Inlee
Bonior	Dingell	Jackson (IL)
Borski	Dixon	Jackson-Lee
Boswell	Doggett	(TX)
Boucher	Dooley	Jefferson
Boyd	Doyle	John
Brady (PA)	Edwards	Johnson, E. B.
Brown (CA)	Engel	Jones (OH)
Brown (FL)	Eshoo	Kanjorski
Brown (OH)	Etheridge	Kaptur
Capps	Evans	Kennedy
Capuano	Farr	Kildee
Cardin	Fattah	Kilpatrick
Carson	Filner	Kind (WI)
Clay	Ford	Kleciska
Clayton	Frank (MA)	Klink
Clement	Frost	Kucinich

LaFalce	Moran (VA)	Sherman
Lampson	Murtha	Shows
Lantos	Nadler	Sisisky
Larson	Napolitano	Skelton
Lee	Neal	Slaughter
Levin	Oberstar	Snyder
Lewis (GA)	Obey	Spratt
Lofgren	Oliver	Stabenow
Lowey	Ortiz	Stark
Lucas (KY)	Owens	Stenholm
Luther	Pallone	Strickland
Maloney (CT)	Pascarell	Tanner
Maloney (NY)	Pastor	Tauscher
Markey	Payne	Taylor (MS)
Martinez	Pelosi	Thompson (CA)
Mascara	Peterson (MN)	Thompson (MS)
Matsui	Phelps	Thurman
McCarthy (MO)	Pickett	Tierney
McCarthy (NY)	Price (NC)	Towns
McDermott	Rahall	Traficant
McGovern	Rangel	Turner
McIntyre	Reyes	Udall (CO)
McKinney	Rivers	Udall (NM)
McNulty	Rodriguez	Velazquez
Meehan	Roemer	Vento
Meek (FL)	Rothman	Visclosky
Meeks (NY)	Roukema	Waters
Menendez	Roybal-Allard	Watt (NC)
Millender-McDonald	Rush	Waxman
Miller, George	Sanchez	Weiner
Minge	Sanders	Wexler
Mink	Sandlin	Weygand
Moakley	Sawyer	Wise
Mollohan	Schakowsky	Woolsey
Moore	Scott	Wu
	Serrano	Wynn

NAYS—222

Aderholt	Ewing	Lewis (KY)
Archer	Fletcher	Linder
Armey	Foley	Lipinski
Bachus	Forbes	LoBiondo
Baker	Fossella	Lucas (OK)
Ballenger	Fowler	Manzullo
Barrett (NE)	Franks (NJ)	McCollum
Bartlett	Frelinghuysen	McCrery
Barton	Gallegly	McHugh
Bass	Ganske	McInnis
Bateman	Gibbons	McIntosh
Bereuter	Gilchrest	McKeon
Biggett	Gillmor	Metcalf
Bilbray	Gilman	Mica
Bilirakis	Goode	Miller (FL)
Bliley	Goodlatte	Miller, Gary
Blunt	Goodling	Moran (KS)
Boehlert	Goss	Morella
Boehner	Graham	Nethercutt
Bonilla	Granger	Ney
Bono	Green (WI)	Northup
Brady (TX)	Greenwood	Norwood
Bryant	Gutknecht	Nussle
Burr	Hall (TX)	Ose
Burton	Hansen	Oxley
Buyer	Hastings (WA)	Packard
Callahan	Hayes	Paul
Calvert	Hayworth	Pease
Camp	Hefley	Peterson (PA)
Campbell	Herger	Petri
Canady	Hill (MT)	Pickering
Cannon	Hilleary	Pitts
Castle	Hobson	Pommo
Chabot	Hoekstra	Pomeroy
Chambliss	Horn	Porter
Chenoweth	Hostettler	Portman
Coble	Houghton	Pryce (OH)
Coburn	Hulshof	Quinn
Collins	Hunter	Radanovich
Combest	Hutchinson	Ramstad
Cook	Hyde	Regula
Cooksey	Isakson	Reynolds
Cox	Istook	Riley
Crane	Jenkins	Rogan
Cubin	Johnson (CT)	Rogers
Cunningham	Johnson, Sam	Rohrabacher
Davis (VA)	Jones (NC)	Royce
Deal	Kasich	Ryan (WI)
DeLay	Kelly	Ryun (KS)
DeMint	King (NY)	Sabo
Diaz-Balart	Kingston	Salmon
Dickey	Knollenberg	Sanford
Doolittle	Kolbe	Saxton
Dreier	Kuykendall	Scarborough
Duncan	LaHood	Schaffer
Dunn	Largent	Sensenbrenner
Ehlers	Latham	Sessions
Ehrlich	LaTourette	Shadegg
Emerson	Lazio	Shaw
English	Leach	Shays
Everett	Lewis (CA)	Sherwood

Shimkus	Sweeney	Walsh
Shuster	Talent	Wamp
Simpson	Tancred	Watkins
Skeen	Tauzin	Watts (OK)
Smith (MI)	Taylor (NC)	Weldon (FL)
Smith (NJ)	Terry	Weldon (PA)
Smith (TX)	Thomas	Weller
Smith (WA)	Thornberry	Whitfield
Souder	Thune	Wicker
Spence	Tiahrt	Wilson
Stearns	Toomey	Wolf
Stump	Upton	Young (AK)
Sununu	Walden	Young (FL)

NOT VOTING—6

Barr	Hooley	Ros-Lehtinen
Gekas	Myrick	Stupak

□ 1820

Messrs. CANNON, GARY MILLER of California, POMEROY, KNOLLENBERG and RYAN of Wisconsin changed their vote from "yea" to "nay."

Mr. KLECZKA changed his vote from "nay" to "yea."

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. BRADY of Texas). The Chair will announce the appointment of conferees later today.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1141, 1999 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 106-76) on the resolution (H. Res. 125) providing for consideration of the bill (H.R. 1141) making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PROVIDING AMOUNTS FOR EXPENSES OF CERTAIN COMMITTEES OF THE HOUSE OF REPRESENTATIVES IN THE 106TH CONGRESS

Mr. THOMAS. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 101) providing amounts for the expenses of certain committees of the House of Representatives in the 106th Congress, and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 101

Resolved,

SECTION 1. COMMITTEE EXPENSES FOR THE ONE HUNDRED SIXTH CONGRESS.

(a) IN GENERAL.—With respect to the One Hundred Sixth Congress, there shall be paid out of the applicable accounts of the House of Representatives, in accordance with this primary expense resolution, not more than the amount specified in subsection (b) for the expenses (including the expenses of all staff salaries) of each committee named in that subsection.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, \$8,564,493; Committee on Armed Services, \$10,599,855; Committee on Banking and Financial Services, \$9,725,255; Committee on the Budget, \$9,940,000; Committee on Commerce, \$15,537,415; Committee on Education and the Workforce, \$12,382,569.63; Committee on Government Reform, \$21,028,913; Committee on House Administration, \$6,307,220; Permanent Select Committee on Intelligence, \$5,369,030.17; Committee on International Relations, \$11,659,355; Committee on the Judiciary, \$13,575,939; Committee on Resources, \$11,270,338; Committee on Rules, \$5,069,424; Committee on Science, \$9,018,326.30; Committee on Small Business, \$4,399,035; Committee on Standards of Official Conduct, \$2,860,915; Committee on Transportation and Infrastructure, \$14,539,260; Committee on Veterans' Affairs, \$5,220,900; and Committee on Ways and Means, \$11,960,876.

SEC. 2. FIRST SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 1999, and ending immediately before noon on January 3, 2000.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, \$4,175,983; Committee on Armed Services, \$5,114,079; Committee on Banking and Financial Services, \$4,782,996; Committee on the Budget, \$4,970,000; Committee on Commerce, \$7,597,758; Committee on Education and the Workforce, \$6,427,328.22; Committee on Government Reform, \$10,301,933; Committee on House Administration, \$3,055,255; Permanent Select Committee on Intelligence, \$2,609,105.06; Committee on International Relations, \$5,776,761; Committee on the Judiciary, \$6,523,985; Committee on Resources, \$5,530,746; Committee on Rules, \$2,488,522; Committee on Science, \$4,453,860.90; Committee on Small Business, \$2,094,868; Committee on Standards of Official Conduct, \$1,382,916; Committee on Transportation and Infrastructure, \$7,049,818; Committee on Veterans' Affairs, \$2,497,291; and Committee on Ways and Means, \$5,833,436.

SEC. 3. SECOND SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2000, and ending immediately before noon on January 3, 2001.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, \$4,388,510; Committee on Armed Services, \$5,485,776; Committee on Banking and Financial Services, \$4,942,259; Committee on the Budget, \$4,970,000; Committee on Commerce, \$7,939,657; Committee on Education and the Workforce, \$5,955,241.41; Committee on Government Reform, \$10,726,980; Committee on House Administration, \$3,251,965; Permanent Select Committee on Intelligence, \$2,759,925.11; Committee on International Relations, \$5,882,594; Committee on the Judiciary, \$7,051,954; Committee on Resources, \$5,739,592; Committee on Rules, \$2,580,902; Committee on Science, \$4,564,465.40; Committee on Small Business, \$2,304,167; Committee on Standards of Official Conduct, \$1,477,999; Committee on Transportation and Infrastructure, \$7,489,442; Committee on Veterans' Affairs, \$2,723,609; and Committee on Ways and Means, \$6,127,440.

SEC. 4. VOUCHERS.

Payments under this resolution shall be made on vouchers authorized by the committee involved, signed by the chairman of such committee, and approved in the manner directed by the Committee on House Administration.

SEC. 5. REGULATIONS.

Amounts made available under this resolution shall be expended in accordance with regulations prescribed by the Committee on House Administration.

SEC. 6. RESERVE FUND FOR UNANTICIPATED EXPENSES.

There is hereby established a reserve fund for unanticipated expenses of committees for the One Hundred Sixth Congress. Amounts in the fund shall be paid to a committee pursuant to an allocation approved by the Committee on House Administration.

SEC. 7. ADJUSTMENT AUTHORITY.

The Committee on House Administration shall have authority to make adjustments in amounts under section 1, if necessary to comply with an order of the President issued under section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 or to conform to any reduction in appropriations for the purposes of such section 1.

Mr. THOMAS (during the reading). Mr. Speaker, I ask unanimous consent that the resolution and the committee amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

The text of the committee amendment in the nature of a substitute is as follows:

Committee amendment in the nature of a substitute:

Strike out all after the resolving clause and insert:

SECTION 1. COMMITTEE EXPENSES FOR THE ONE HUNDRED SIXTH CONGRESS.

(a) IN GENERAL.—With respect to the One Hundred Sixth Congress, there shall be paid out of the applicable accounts of the House of Representatives, in accordance with this primary expense resolution, not more than the amount specified in subsection (b) for the expenses (including the expenses of all staff salaries) of each committee named in that subsection.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, \$8,414,033; Committee on Armed Services, \$10,342,681; Committee on Banking and Financial Services, \$9,307,521; Committee on the Budget, \$9,940,000; Committee on Commerce, \$15,285,113; Committee on Education and the Workforce, \$11,200,497; Committee on Government Reform, \$19,770,233; Committee on House Administration, \$6,251,871; Permanent Select Committee on Intelligence, \$5,164,444; Committee on International Relations, \$11,313,531; Committee on the Judiciary, \$12,152,275; Committee on Resources, \$10,567,908; Committee on Rules, \$5,069,424; Committee on Science, \$8,931,726; Committee on Small Business, \$4,148,880; Committee on Standards of Official Conduct, \$2,632,915; Committee on Transportation and Infrastructure, \$13,220,138; Committee on Veterans' Affairs, \$4,735,135; and Committee on Ways and Means, \$11,930,338.

SEC. 2. FIRST SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at