

Another example of the local initiative for salmon recovery is the effort currently being undertaken by the Confederated Tribes of the Coleville Reservation and the Okanogan County Irrigation District up in the northern part of my district. These groups have taken a proactive approach to salmon recovery by conducting a joint study of water management efforts along the Salmon Creek and Okanogan County. Their joint efforts will result in the improvement of the fish passage and the habitat ensuring the preservation of salmon while protecting farmers and irrigators of their water rights.

I would say, Mr. Speaker, this legislation symbolizes what can be done and what is being done in my district and in the Northwest to try to ensure salmon recovery by recognizing and respecting local people making decisions on a local level.

I am pleased that this bill is in front of us again today. I regret that it got caught up in a bit of bipartisanship yesterday, but I would urge my colleagues to support this bill.

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

The SPEAKER pro tempore (Mr. GILLMOR). Pursuant to House Resolution 581, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. DOOLEY of California. 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 418, nays 1, not voting 14, as follows:

[Roll No. 483]

YEAS—418

Abercrombie	Berkley	Bryant
Ackerman	Berman	Burr
Aderholt	Berry	Burton
Allen	Biggart	Buyer
Andrews	Bilbray	Callahan
Archer	Bilirakis	Calvert
Army	Bishop	Camp
Baca	Blagojevich	Canady
Bachus	Bliley	Cannon
Baird	Blumenauer	Capps
Baker	Blunt	Capuano
Baldacci	Boehlert	Cardin
Baldwin	Boehner	Carson
Ballenger	Bonilla	Castle
Barcia	Bonior	Chabot
Barr	Bono	Chambliss
Barrett (NE)	Borski	Chenoweth-Hage
Barrett (WI)	Boswell	Clayton
Bartlett	Boucher	Clement
Barton	Boyd	Clyburn
Bass	Brady (PA)	Coble
Becerra	Brady (TX)	Collins
Bentsen	Brown (FL)	Combest
Bereuter	Brown (OH)	Condit

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

Stupak	Tiahrt	Watt (NC)
Sununu	Tierney	Watts (OK)
Sweeney	Toomey	Waxman
Talent	Towns	Weiner
Tancredo	Trafigant	Weldon (FL)
Tanner	Turner	Weldon (PA)
Tauscher	Udall (CO)	Weller
Tauzin	Udall (NM)	Wexler
Taylor (MS)	Upton	Weygand
Taylor (NC)	Velazquez	Whitfield
Terry	Visclosky	Wicker
Thomas	Vitter	Wolf
Thompson (CA)	Walden	Woolsey
Thompson (MS)	Walsh	Wu
Thornberry	Wamp	Wynn
Thune	Waters	Young (AK)
Thurman	Watkins	Young (FL)

NAYS—1

Paul

NOT VOTING—14

Campbell	Klink	Spratt
Clay	Lazio	Vento
Coburn	McIntosh	Wilson
Gephardt	Nethercutt	Wise
Hutchinson	Norwood	

□ 1239

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 4577, DEPARTMENTS OF LABOR, HEALTH, AND HUMAN SERVICES, AND EDUCATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. OBEY. Mr. Speaker, I offer a motion to instruct conferees, pursuant to clause 7(c) of House rule XXII.

The SPEAKER pro tempore (Mr. GILLMOR). The Clerk will report the motion.

The Clerk read as follows:

Mr. OBEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 4577, be instructed to insist on the highest funding level possible for the Department of Education; and to insist on disagreeing with provisions in the Senate amendment which denies the President's request for dedicated resources to reduce class sizes in the early grades and for local school construction and, instead, broadly expands the title VI Education Block Grant with limited accountability in the use of funds.

PARLIAMENTARY INQUIRY

Mr. PORTER. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Illinois will state his parliamentary inquiry.

Mr. PORTER. Mr. Speaker, under the House rules, is it permissible to divide a motion to instruct? Because we would agree with part of this, that is the funding level for education, but the rest of it we do not agree with. Is it possible to divide a motion of this type?

The SPEAKER pro tempore. Would the gentleman from Illinois specify how he would like the question divided?

Mr. PORTER. Mr. Speaker, I would suggest that it be divided after the line 4, the word "education, semicolon,"

and so that we would consider the highest funding level possible in one segment and then there would be a separate motion for the rest of it.

The SPEAKER pro tempore. The Chair would advise the gentleman that as a 20-day motion under clause 7(c) of rule XXII, the motion is grammatically and substantively divisible under the precedents and that at the end of the debate the Chair will put the question on the divisible portions.

Pursuant to the rule, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Illinois (Mr. PORTER) each will control 30 minutes.

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

Mr. OBEY. Mr. Speaker, I yield myself 8 minutes.

Mr. Speaker, we are here on this motion today in large part because yesterday a motion to instruct conferees on this bill was made on that side of the aisle and I indicated that if we were going to get into the business of instructing conferees then we would have a significant number of motions on our own on this side.

□ 1245

I do not particularly enjoy this process, but I do not think we can sit by while the guns are being fired by only one side on an issue as important as education, for instance.

I am also disappointed, frankly, because I understood that the gentleman from Pennsylvania (Mr. GOODLING), our good friend, was going to offer a motion which would have instructed the House to support the idea of making major appropriations to Title VI for the purpose of providing funding to local school districts, which they could use with great flexibility. Let me state, if that motion had been offered, I would have voted for it.

My position on this, and I think the vast majority of people on this side of the aisle feel the same way, is that we are for all of the money that we can get into education and get back to local school districts. We think that is the number one priority facing the country. However, we believe that there ought to be accountability in the way that money is used, and we believe that whatever funds are provided from such a block grant, for instance, should be provided in addition to the funds that are provided to meet national priority needs, not as a substitute for funds which are provided for those priority needs.

There is a second reason that we are here, because I think we need to clarify what it is that both parties are trying to do in the conference on the Labor, Health and Education appropriation bill. To explain that, I need to put it in context.

Mr. Speaker, 5 years ago, the majority party, when they took over control of this House, produced a budget which, among other things, tried to cut the Education budget 20 percent below the budget of the previous year; they tried

to eliminate the Department of Education, and they felt so strongly about it that they were willing to see the government shut down in order to force their budget priorities on the President. They did not exactly win that argument, and they certainly did not win the political argument associated with it. So they slowly but surely have backed off that proposition, but they continue at every opportunity to show their basic antagonism toward initiatives made by the President to strengthen education.

The latest evidence of that is the fact that in the bill which moved out of the House, they made very large cuts in the President's education budget. They cut some \$400 million out of after-school funding that the President had proposed. They cut \$1.3 billion out of school modernization, they cut \$1.7 billion out of the President's class size initiative, and instead tried to fold that money into a block grant arrangement under which a major ability to achieve accountability is lost. That is one of the places where we part company.

The majority now, in conference, has chosen to add about \$5.5 billion of their priorities back into the Labor, Health, Education bill, but so far, there appears to be no room in the inn for our priorities or the President's priorities.

I want to make it clear. We do not believe that providing flexible funding to school districts is automatically opposed to the idea of providing specific funding for specific purposes to local districts. We think we ought to do both; and, in fact, we have provided that we do both, by supporting significant funding for Title VI. But we want to make it clear. We are for the President's efforts to provide \$1.7 billion for his class-size reduction program. We are for the President's efforts to provide \$1.3 billion in assistance to local school districts to renovate ancient, outmoded and dangerous buildings. I just had one closed in my district last week by the State Department of Public Construction, for instance; and we are for some other things.

The majority party has increased funding for special education by a significant amount, and yet the bill does not fully reflect the amount for special education that this House indicated it wanted to see when on May 3, it passed the authorization. So we believe that there ought to be a substantial increase in special education funding above the amount provided in the House bill. We also believe that since we are providing huge amounts of money to Colombia for drug interdiction, we also ought to have a significant increase of well over \$200 million in funding for drug treatment slots here at home.

We also believe that we ought to substantially increase Pell Grant funding above the amount provided by either the administration or the majority party in its budget so far.

Mr. Speaker, I would simply note that the problem we face is that under

the newest of proposals raised by the majority party on how to deal with the surplus, they indicate that there would be about \$28 billion on the table that could be used for a variety of purposes. So far, it appears that they intend to use \$2 billion of that in the Energy and Water bill; it appears that the interior bill is going to come back to the House \$3 billion to \$4 billion above the level that it was when it passed the House originally, yet we are told that none of that money should be, none of that \$28 billion should be devoted to increases in education above the amount stipulated by the majority party. We do not agree with that.

Mr. Speaker, we think, therefore, that this motion is proper in both of its aspects. We simply ask that the conferees provide the highest funding level possible for the Department of Education, and we also ask that we disagree with the provisions in the Senate amendment which would fund the flexible money that goes back to school districts in the form of block grants at the expense of the President's two initiatives on school modernization and on class-size reduction. We are perfectly willing to see an increase in Title VI, provided that we have adequate accountability for those funds, but not at the expense of the President's priorities.

Mr. Speaker, we believe this country is healthy enough and prosperous enough to fund both the majority party's priorities and ours and the President's, and that is the purpose of this motion to instruct today.

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

Mr. Speaker, the gentleman from Wisconsin (Mr. OBEY) very cleverly writes a motion, the first part of which says that the House should insist on the highest funding level possible for the Department of Education. Certainly, all of us agree with that, proposition. Then adds the gentleman from Wisconsin (Mr. OBEY), adds provisions that he knows we disagree with dealing with control by Washington over the expenditure of funds by local school districts.

I am pleased that the Chair has told us that we can divide this question. If we look at what we have done on education in our tentative conference report, and we have completed the conference and have the report but have not filed it, we are already \$600 million in funding for the Department of Education above the President's budget. We have \$600 million more than the President committed to providing adequate resources for education. We have plussed up important accounts, making a Federal commitment to education that is far greater than the the President of the United States submitted to the Congress earlier this year.

Look at the accounts. In education technology, we are ahead of the President. In education for the disadvantaged, a \$9 billion account, we are ahead of the President. Impact Aid: the

President has attempted every time he has offered a budget to cut that responsibility of the Federal Government; we have increased it. We are \$258 million ahead of the President's request on Impact Aid, which is important in many school districts impacted by the Federal presence.

Special education: We have increased this account. In fact, we have, doubled, this account in the last 6 years. Our increase this year is \$1 billion more than the President asked for. Education for the homeless: We are ahead of the President. Rehabilitation services: We are ahead of the President. Vocational and adult education: We are ahead of the President. Student financial assistance: \$300 million ahead of the President, and we have increased Pell Grants far more than the President asked for, because we know that young people in America need this help to get a higher education. Historically Black Colleges and Universities: We are substantially ahead of the President. Hispanic-serving institutions: We are substantially ahead of the President. The TRIO program: Another program like special education and Pell Grants, where every year we have been substantially ahead of the President's budget, providing more money than he asked for in this fiscal year. Higher education: Ahead of the President.

So, Mr. Speaker, in program after program, especially those programs that are important to those most at risk in our society where they need the resources to get ahead educationally, we are substantially ahead of the President of the United States.

So, do we disagree with the first part of this motion to instruct saying that we should fund it at the highest possible level? Absolutely not. We are already way ahead of the President of the United States in our commitment to education.

The second part of the motion deals with fundamental differences between the two parties. And here, yes, we definitely do disagree. Who should be responsible for making education decisions? Washington, D.C., which is what they want, or local school districts, which is what we want. Now, the gentleman from Wisconsin talks about this in terms of accountability. Do not be fooled. This is not accountability, this is who controls where the money is spent. It means accountability to Washington, not accountability to the local taxpayers who provide most of the funding for education in our country. So do not be fooled by the word accountability; it is controll by Washington that the gentleman is proposing, and do we disagree with that? Absolutely, we disagree with that.

On school construction. The conference agreement puts \$3.1 billion into Title VI, the block grant that allows local school districts the discretion to spend these funds according to what they believe are their needs. They may use it for school construction, reducing class size, professional development, or

what their needs are. Should they be forced to use this money for school construction when they do not need it? Of course not. But it should be available to them for training teachers or reducing class size or doing other things that they know very well, much better than Washington, what the needs may be.

The President's approach wants Washington control, it ignores local flexibility in favor of a one-size-fits-all approach dictated by the Federal Government. We think that is wrong. We think most Members in this body think that is wrong. We very much oppose the gentleman's motion in that part of it that deals with this philosophical, difference between Democrats and Republicans.

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

□ 1300

Mr. OBEY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the gentleman just said that obviously all of us on the House floor agree with the first part of the motion that asks the conferees to fund education at the highest possible level. But, in fact, the conferees yesterday repeated early and often the fact that they were not willing to go one dime above the level now contained in their bill for the Labor, Health, and Education budget.

It is true that our friends have now, belatedly, after 5 years of trying to savage the education programs, it is true that at this point they are above the President on some aspects of the education budget. But that is largely due to the additions in Pell Grants and the additions in special education, both of which we support on this side of the aisle. We have no quarrel with that. We believe that this country is wealthy enough that there ought to be room enough for both Republican priorities and Democratic priorities when it comes to education.

When it comes to the disadvantaged, for instance, the fact is that the majority party is \$85 million in total below the President's budget for Title I, and within that reduced number they have eliminated the President's request for \$250 million to use to fix schools that are in the most trouble and are failing. On vocational education they are above the President on State grants, but they are \$200 million below the President on voc-ed tech prep programs. And the list can go on and on.

When we cut through it all, the fact is very simple: we are asking the majority to put at least \$3 billion in additional funding for education into the Labor-HHS bill. If Members are for that, then vote for this motion. If my colleagues are not for it, and they vote for this motion, they will be walking both sides of the street. If we are for adding that \$3 billion, then we do not need any more motions to instruct. Just bring out the conference report, and we will have a bill that can fly

through both Houses, if we deal with some of the other problems that have to be fixed in the Labor Department and in the HHS Department.

So when we cut through it all, in the end, what counts is whether or not we will bring to this floor a bill which in the area of education will provide \$3 billion above the level that has been provided up to this point. That is what this argument is about, and that is what we are going to continue to fight for.

Mr. PORTER. Mr. Speaker, I would inquire of the Chair how much time remains on each side?

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from Illinois (Mr. PORTER) has 24 minutes and the gentleman from Wisconsin (Mr. OBEY) has 19 minutes.

Mr. PORTER. Mr. Speaker, I yield 4½ minutes to the gentleman from Pennsylvania (Mr. GOODLING), the distinguished chairman of the Committee on Education and the Workforce.

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

Mr. GOODLING. Mr. Speaker, what I learned more than anything else in the 20 years I sat in the minority on the Committee on Education and the Workforce, and even I am reminded today as the chairman of that committee, the approach that we took all those years positively did not help children, and that is what this is all about.

We sat there year after year after year and we said, if we just had one more program, if we just had another billion dollars, if we could just cover another 100,000 children, everything would be better. And what are the results? Well, the results are that the achievement gap has grown. It has not decreased at all. Because over and over again we said we have the programs, from Washington, D.C. One size will fit all. We know better than anybody else.

But, more importantly, what we did was we took all of the money and divided it up over and over and over again, because we kept adding new programs. So now we are down to the point where they do not have enough money to do anything worthwhile unless they commingle funds. And what were our auditors doing during this time? The auditors did not ask whether it is a quality program; they did not say is this program succeeding. What they said was, "If you commingle one penny, you have had it. Boy, we will be down your throat." So a local district, who could take a couple small programs and make them into a worthwhile program, could not do it. So as I said, the achievement gap just gets wider.

I pleaded with the President over and over again to not put the cart before the horse. When he came up with the magnificent idea that we need a national test, I said, "Mr. President, first of all you have to set the higher standards; then you have to prepare the teacher to teach to the higher standards; then you have to test the teacher

to see whether they are ready to teach to the higher standards; and then, after they teach the higher standards, then you test the child. Because before that, all you will be doing is telling, for \$100 million, 50 percent of the youngsters one more time that they are not doing well. That is all they have ever heard."

Then he came up with the sexy eye-catching idea that we need 100,000 teachers to reduce class size in the early grades. Well, anybody knows if we can reduce class size in the early grades, and we have a competent, quality teacher in the classroom, that is a plus. The problem is, as I reminded him over and over again, if we do not have a quality teacher to put in that classroom, then we have done nothing except spend money and make it even worse for the children because now they do not even have a quality teacher.

So we allowed him to have a third of those. And what happened when we did that? Thirty-some percent of all of those first teachers had no qualifications whatsoever. So now in the place where we need them the most, real rural America and center city America, they ended up having to put someone in that classroom, and the children most in need got anything but a quality teacher. That is a tragedy. And that is what happens when we dictate from here.

I kept telling him over and over again, "Do you realize that in some of those districts they may have some teachers that are fairly good; that if they had the opportunity to better prepare those teachers, they would have a quality teacher in the classroom?" But, no, we had to do something that appeared sexy. And, of course, when we look at it, we are looking at 15,000 school districts. We are looking at a million classrooms, and we are talking about 100,000 teachers. Again, the cart before the horse.

When I became the chairman, I said, we have to do better. These children are not achieving. We are not closing the achievement gap. So we said let us do everything based on seven major principles: quality; better teaching; local control; accountability, but the accountability is to the children, the accountability is to the parents; more dollars to the classroom, basic academics; and more parental involvement and responsibility.

What we will do if we go this route that is being suggested, however, is that now we will backtrack. And now we will be down to the business where there is a one-size-fits-all from Washington, D.C. After all, We know what is better than anybody else. We will let the parents out of this whole equation; we will forget the children in this whole equation because, as I said, more programs, more dollars have not closed that achievement gap. It has been spread so thinly that we have not been able to do anything about quality.

Mr. OBEY. Mr. Speaker, I yield myself 30 seconds.

The previous speaker just said that the answer to everything is teacher quality. If that is the case, I would like to know why the majority party cut the President's teacher quality initiatives by \$527 million below his request.

Mr. PORTER. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi (Mr. WICKER), a valued member of the Subcommittee on Labor, Health and Human Services, and Education of the Committee on Appropriations.

Mr. WICKER. Mr. Speaker, I urge my colleagues in the strongest of terms to reject the Obey approach to education. And I want to make two quick points and then a larger point.

The first point I would make is to reiterate what my chairman, the gentleman from Illinois (Mr. PORTER), said. When our friends on the Democratic side say accountability, they really mean Federal control. They really mean the absence of local flexibility. And, in my opinion, they mean the absence of accountability to the schoolchildren and to the parents. That is my first point.

The second point, and it needs to be understood over and over, not only by the Members in this room but by the American public, is that we have increased the President's education budget in this conference report. We are over \$600 million higher than the President's request on education. Now, that is point number two.

Point number three comes down to what we are really talking about. It is a difference in philosophy between the two political parties on the very important issue of education, and that is the question, do we insist on the President's request for his program on school construction?

Now, there is not a soul within the sound of my voice who would not like for us to have better schools and better school buildings and better school facilities. We are all for that. The question is how do we do it. I say we send Federal education dollars to the local school districts on programs that we know will work, that are proven already to have worked, and we free up money on the local level for local schools to do what they have always done in school construction, and that is to make school construction decisions themselves. That is the Republican approach.

The approach that is being urged on us today is to say that, although the President has signed seven straight appropriation bills with regard to education, in this, the 8th year of his term, we must insist, before we can pass the bill, before we can get out of this town at the end of the fiscal year, we must insist on a new Federal program to build school buildings at the local level, something that we have never done.

Now, listen to me. This bill would provide \$1.3 billion in school construction and start us on the slippery slope of spending billions and billions and billions of dollars. There is no telling

where it would end on school construction. We are told now that the needs currently for school construction are \$254 billion. This proposal would fund less than one-half of 1 percent, approximately, of the total needs. Ten times that amount would only give us 5 percent. Where will it end?

My colleagues, please think before we enter into this vast and expensive new Federal program.

Mr. OBEY. Mr. Speaker, I again yield myself 30 seconds.

The gentleman has just denounced the idea of having a Federal school construction program. I would point out the Republican chairman of the authorizing committee has introduced his own school construction program which at least matches the President's in size. Why can we not simply fund it, since apparently the need is recognized on both sides of the aisle?

Mr. PORTER. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Illinois (Mr. PORTER) has 16½ minutes and the gentleman from Wisconsin (Mr. OBEY) has 18 minutes.

Mr. OBEY. Mr. Speaker, I yield 6 minutes to the gentleman from Maryland (Mr. HOYER), a member of the Subcommittee on Labor, Health and Human Services, and Education.

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

Mr. Speaker, I have been on this subcommittee for many years. In 1983, Terrell Bell, then the Secretary of Education, issued a report. That report was entitled: A Nation at Risk. It said that we were at risk of becoming a Nation of mediocrity because our educational system was not keeping apace. The response of the Reagan administration was to send down a budget which had the largest cut in education funding at the national level to that date in history.

Now, that budget that Ronald Reagan sent down was not passed. It was increased substantially. But me thinks the chairman protests too much in saying we are all for the first sentence, that we want to spend more for education. It is useful, I think, to remember a little bit of the history of why we are here and why this motion, we think, is necessary.

First of all, when we passed the House bill, we were \$3 billion less than the Senate bill on education, \$3 billion less.

□ 1315

So that, when the House took its action, all of this euphoria about spending more on education was not present. But we have had a lot of policies, Mr. Speaker, since then about what the American public care about. We have had a lot of debate between the Presidential candidates, and everybody is falling all over themselves to be for education.

So what do we see between then and now, between the passage of a Republican budget that provided little funds

for education and today? Well, we see a \$3.7 billion increase, notwithstanding the fact that we Democrats stood on the floor when this bill passed and we opposed its passage, of course, and said we needed more money.

Oh, no, it is fine. This is just a first inning in any event. We have been just at the first inning in about 13 bills, which is why we are stuck in the mud because this process has not been real.

Well, my colleagues are starting to get real. We understand that, because November 7 footsteps are heard loud in these Chambers and the American public's voice is heard louder as the days go by.

I rise in support of this motion. I believe that the gentleman from Illinois (Mr. PORTER) our distinguished chairman who we are going to lament will not be here next month to help us work on these issues because he cares about these issues.

But I think we need this motion because we need to say we want to go to those figures in our conference. The conference has not really been a real conference. The reason it has not been a very real conference is because the dollars that the Republicans say are available for these bills keeps moving, it keeps moving as their political antenna quivers. And every time they got a little quiver, there is a little more money and they add it to the bills, which they should have done, of course, on substance, not on politics, from the concern that the gentleman from Pennsylvania (Mr. GOODLING) says about children.

Now, the second part of this motion is a critically important part. I have had this discussion with one of the Members of the United States Senate. He says local control. I am for local control, but I am for accountability for the gentleman from Maryland (Mr. HOYER) when I go home and say, we took your money and here is how we spent it, not the school boards spent it, but this is what I said was a priority, the gentleman from Maryland (Mr. HOYER).

I believe that there is a critical need in this country, as the President believes, for us to help with school construction. Because we know that schools are falling down, we know there are not enough classrooms, we know that there are some schools that are not safe for our kids to be in. So the President of the United States has proposed, and I support, saying we are going to give some money for school construction, not to build new pools in schools, not to have new football programs, etcetera, etcetera. That is not my responsibility. If the locals want to do it, they spend, as all of us know, 93 percent on education. We spend 7.

But I believe that school construction is critically important if we are going to have more classrooms. Because, in order to have more smaller classes, we have got to have more classrooms; and in order to have more classrooms, we have got to have more

teachers. So the President proposes that we have a program for more teachers, as well.

The Republicans made a deal last year when they passed the omnibus appropriations bill that they were for that and they said they were for that. Now, maybe they were for it because that is the only way the bill would get passed, but notwithstanding the fact we had an agreement that that would happen. That is what this motion to instruct is all about, both ends of it, more money.

Now, yes, I agree, we seem to be moving in that direction because they added not only \$3.7 billion from the House bill, they added \$8 billion in total to the House bill. Eight billion dollars they have added to the House bill. We are glad they are getting there because the children of America, the families of America need this investment.

I am prepared it take the responsibility for more classrooms, more teachers, and to assist with school construction. I think that is my responsibility, and I am prepared to stand up for it and vote for it.

So when they tell me, Mr. Speaker, that they want local control, I want local control. But when they say that we should not make determinations on specific needs, I think they are wrong. That is our responsibility.

I urge passage of this motion to instruct.

Mr. PORTER. Mr. Speaker, I yield myself 30 seconds just to say to the gentleman from Maryland (Mr. HOYER) that the money for school construction is in the bill. It is in Title VI. It can be used, almost all of it, actually a lot more than the President put, \$2.7 billion of Title VI can be used for school construction under the bill as it is drawn.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

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

Mr. HOYER. Mr. Speaker, am I also correct, I ask the chairman, that not a penny of it needs to be spent on school construction?

Mr. PORTER. Mr. Speaker, reclaiming my time, I will tell the gentleman that that is a decision for the local school boards and he does not respect it.

Mr. Speaker, I yield 3 minutes to the gentleman from Delaware (Mr. CASTLE) the distinguished chairman of the Subcommittee on Early Childhood, Youth, and Families of the Committee on Education and the Workforce.

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

Mr. Speaker, I would just like to straighten out a few facts here. It is correct that the Federal Government only applies about 7 percent of the total financing of all K-12 education in the United States of America. But here is something else which is a fact. This is an absolute fact.

In the first 5 years of the last decades, while the Democrats were in charge of the Congress of the United States of America and there was a Republican President and then a Democratic President, the increase for funding in education in the very budget that we are talking about here was 6 percent per year.

In the last 5 years, not including this year, while Republicans have been in charge of the funding mechanism for education in the United States of America, the increase has been, on average, 8.2 percent per year, a difference of 2.2 percent.

So I just want to put that little argument to rest. We are also ahead of the President's budget as far as this year is concerned.

The real argument here is not funding. We could argue, for example, that we should help our children with disabilities, something that this Congress has many, many years through Democrats and even a little bit under the Republicans, but particularly the Democrats, has ignored, 11 percent of what should be a 40-percent commitment for example.

We could argue that we need to help with construction. Indeed, \$1.7 billion on a bill that is probably at least \$400 billion, some say 300, some say 500, let us round it off to \$400 billion, does not even begin to make a dent. That will still be done at the State and local level.

So I have no problem with the additional funding. I have always supported the Federal role. I have always supported the Department of Education. I have always supported the increases in terms of the funding. But we passed last year an Education Flexibility Act to allow our local and State educational entities to be able to make decisions with respect to Federal funding and what they were going to do with it.

We clearly demonstrated here, Republicans and Democrats alike I might add, we demonstrated that we wanted them to make a decision. We have in Title VI basically a flexible instrument, if you will, to help with education funding. And they can use Title VI, which truly is a block grant with very few limitations on it, right in line with education flexibility, they can use that for a variety of things.

They can use it to reduce class size. That is hire more teachers, which the President wants to do and the Democrats want to do, I want to do, and I think Republicans want to do on this side. They can use it for school construction. Maybe that is needed somewhere. Maybe it is not needed other places. Remember, some places do not need school construction, they need other things. Perhaps they need technology or they want more professional development of their teachers or they want to deal with problems of transportation or a variety of problems that comes with education naturally depending on where they are in the country. We want to give them that flexibility.

We are not arguing about the money here at all on this floor today. We are arguing about the direction of the money. Should the Federal Government direct it for just class size reduction and for the issue of construction.

So my view is that we should support that aspect of it which increases the funding and we should listen to our local people because they are the ones that say that they want the flexibility to be able to spend the money to help all children.

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

Mr. Speaker, the fact is that in fiscal year 1996, the Republican majority tried to cut \$5 billion, 19 percent, out of the President's education request. The following year they tried to cut \$2.8 billion out of the President's request, 11 percent. The following year they got religion and they only tried to cut \$191 million, or 1 percent, out of the President's education budget. The following year they tried to cut \$662 million out of the President's budget. Last year they tried to cut \$1.4 billion out of the President's education budget. And this year they have been trying to cut \$2.9 billion out of the President's budget on the bill that left the House.

Now, the only reason that the final numbers wind up looking as good as the gentleman from Delaware (Mr. CASTLE) has indicated is because the majority party got beat for 5 straight years in negotiations and we were able to get that money restored.

Since they want to brag about how ineffective they have been, go ahead, but that does not impress anybody very much.

Mr. PORTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Colorado (Mr. SCHAFFER), a member of the Committee on Education and the Workforce.

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

Mr. Speaker, the fact that education spending has grown so much under Republican leadership of Congress is a fact that exercises my Democrat friends, I know. I want my colleagues to know that it is a fact that exercises some of us Republican Members, too.

But what this debate really is about is just what the maker of the motion stated in his opening remarks, and that is that the motion was made because there was another motion made yesterday to which he objected and because that motion was accepted he decided to offer this one.

As a parent of five children who rely on public education for hope and opportunity, that kind of political gamesmanship breaks my heart, Mr. Speaker.

I hope that the children of America and those kids who are in school who count on us to focus in a serious way on education can see this silly amendment defeated for its purposes, for its intent, and for the fallacies that it contains. And there are several. It is a very confining amendment that re-

stricts school board members and States as to how they can spend Federal education dollars.

So if they are in the business, Mr. Speaker, of constraining and restricting and narrowing the scope for these Federal dollars, then this is an amendment for them. But for the rest of us who hope that these dollars can be spent on the priorities that exist in schools across the country, this would be an amendment to oppose.

Now, as a member of the Committee on Education and the Workforce, I have had the opportunity to travel around the country and visit schools from coast to coast. I have visited hundreds of them in my own congressional district. I can tell my colleagues that every school board member and every teacher has a hope and a dream for their children that are in their jurisdiction that they can create schools that allow these children to thrive and succeed in an American society.

But the challenges that face each school is different. In some schools in my district, transportation is the top priority need. In others it might be technology. And in others it might be teacher pay, it might be class size reduction, it might be buying new buildings and repairing the buildings that exist. But it is not the same priority across the country.

We can all identify districts that have needs in school construction. But some districts in America have gone to their local voters and raised the mill levy to fix their schools. Some schools around the country have gone to their local voters and persuaded them to spend more through property taxes or sales taxes or income taxes to reduce class size.

What does this amendment say to them? It says that their local efforts to deal with these responsibilities locally are going to be ignored because we are going to now take their income taxes that come to Washington and we are going to spend them somewhere else on other districts that have not identified school construction as the highest priority.

We should reject this amendment and this suggestion because of the confining, restraining nature it entails, chop out the red tape that accompanies Federal funds, and provide real liberty and freedom to American schools.

□ 1330

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in strong support of this motion to instruct. I want to associate myself with the remarks of the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Maryland (Mr. HOYER) on this matter. We know very well why the increased moneys in education have been put there, because of the insistence of the minority in Congress and the insistence of President Clinton in the negotiations. And each

and every time they have made these terribly inadequate bills that have been reported out of this House better.

But let us understand something. The Obey amendment is about whether or not we are going to meet our commitment to the children of this Nation. Yes, some of the money is targeted, but how do you think those school buildings got in the condition they are in today? Because of the neglect of the local school boards and others. What we are suggesting is that the Federal Government ought to make an effort, because the children who are doing the poorest most likely are in the poorest condition schools. We ought to try to target some effort so that those local communities could fix up those schools and make them appropriate for the education of our young children.

To sit here and suggest that somehow local school superintendents and others cannot move around Federal money, then you ought to get yourself a new superintendent because restraints are minimal. Most superintendents will tell you the problem is with the State Department of Education, not with the Federal Department of Education.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILLMOR). The Chair would request Members from both sides who have been frequently going over the time limit to attempt to stay within the time yielded to them for debate.

PARLIAMENTARY INQUIRY

Mr. OBEY. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. OBEY. Mr. Speaker, I had not expected this many people to want to participate in debate. I am now getting a lot of additional requests that we had not expected. Could I persuade the majority party to agree to a unanimous consent request to add 10 minutes to each side?

Mr. PORTER. Mr. Speaker, I would object to the request. We have had ample notice of the amount of time, and the gentleman and I have an important meeting we have to go to as well.

Mr. OBEY. I would just note that we had thought that the gentleman from Pennsylvania (Mr. GOODLING) was going to be offering his motion which had been noticed, and we had expected that there would be two hours of debate on it.

Mr. PORTER. I would again inquire of the Chair the time remaining.

The SPEAKER pro tempore. Each side has 10 minutes.

Mr. PORTER. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. ISAKSON), a distinguished member of the Committee on Education and the Workforce.

Mr. ISAKSON. Mr. Speaker, I thank the gentleman from Illinois not only for the time he has given me but also for the great work he and the ranking member have done in providing more funds for education in this year's budget. But I rise specifically to answer

retorical questions that have been asked and gone unanswered. My good friend from Wisconsin, with whom we both share a mutual excellent friend and our chancellor at our university system in Georgia, being the man that I know he is, wants answers to those questions. I want him to listen closely.

When you say that we cut money out of teacher training, the truth of the matter is that last year's settlement of the 100,000 teachers was our recommendation. Yes, we will hire 100,000 teachers if they are certified; and if they are not, local systems have the ability to use the money to train teachers that are already teaching and are not certified. That is the problem in America. But the political promise that we were going to hire 100,000 teachers, which sounds good, is not a promise on which can be delivered. So we turned that money into workable money to train teachers.

The second question, I too am a co-author of that bill on school construction. And so everyone knows the clear difference in our proposal and that which is proposed by the President, our proposal was to use a fixed amount of money to fund the unfunded mandates of the Federal Government in asbestos removal, IDA classroom conformity and things like that which is a finite number. The President's \$1.3 billion proposal is less than .3 percent of the unmet need in classrooms in the United States of America. It exceeds the surplus in the fiscal year 2000 budget. And worst of all, it is a promise to the American people we cannot keep. It was the President himself who in 1994 and 1995, and I am sorry I do not have my notes in front of me, struck \$200 million in classroom construction because he said we could never start funding classrooms in this country. You pass a bill with the promise that you are going to build schools in local districts, and you will never pass another bond issue; and you will never pass another local sales tax, and America's needs for schools will skyrocket.

The gentleman from Maryland talked about wanting to build schools back home. His State's unfunded school construction locally exceeds the amount of money that the President wants to put in for the entire United States of America. We Republicans and the Democrats are for our children. We want them to have the best of everything. But what we need to do is recognize where our priorities are, and ours should be in flexibility at the local level. It should be in accountability, and it should be giving credit where credit is due. I give the gentleman from Wisconsin his credit. He has done a lot towards education in this country. But so too has the gentleman from Illinois and those others of us who are working to enrich our children without offering a false political promise that we could never meet. The good appropriator that he is would never want to promise spending more money than the surplus we have just to make people think we

are going to build the schools America needs. Americans are through local bond issues, through local referendums and through commitment. We do not have enough money to do it, and I believe the gentleman knows it.

Mr. OBEY. Mr. Speaker, I yield myself 15 seconds.

The position of the majority party has been that while there is \$28 billion in money on the table to allocate under their budget proposal, that not one additional dime should go to education. That is crazy.

Mr. PORTER. Mr. Speaker, I yield myself 15 seconds to simply say to the gentleman from Wisconsin, he is fighting a battle on a budget which he well knows as an appropriator does not allocate funds to anything. All it does is give the overall spending figure. The rest of it is all advisory, and it means nothing to anybody. It never has and he knows it.

Mr. OBEY. Mr. Speaker, I yield myself 15 seconds. Is the gentleman denying that yesterday Senator SPECTER told us in conference that your leadership said that we could not go one dime above the education bill that you had already put together? Is the gentleman denying that?

Mr. PORTER. Yes. The gentleman mistook who said what. I think it was his leadership that said that to him.

Mr. OBEY. Well, the last time I looked, his leadership was Republican.

Mr. Speaker, 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. Speaker, I rise in support of the Obey amendment and in opposition to what appears to be the Republican education plan that is going to be put before us because the Republican plan fails the test of some common sense conservative ideas. If you want to reduce crime in this country, you ought to know that a lot of juvenile crime is committed after school. But the Republican plan would deprive 1.6 million children of after-school programs. If you want economic growth in this country, you understand that a good labor force is the key to economic growth. Many of our citizens do not speak English as their primary language. But the Republican plan cuts 15 percent from bilingual education.

If you want money for school construction, and it is true that the Republican plan apparently would put \$1.3 billion in, but it says to the local districts, spend the \$1.3 billion as you see fit. We believe that money should be spent for the purposes for which it was intended. And when we put \$1.75 billion forward to hire new quality teachers to reduce class sizes, we believe the money should be spent for the purposes for which it was intended, a common sense conservative principle.

The watchword of the day is compassionate conservatism. The Republican plan is neither compassionate nor conservative.

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

Mr. ROEMER. Mr. Speaker, I thank my good friend from the State of Wisconsin for yielding me this time. It has been said that, quote, "Our children are our message to the future that we may never see." We should not be arguing so much about this spending level or that spending level rather than the priority of working in a bipartisan way to help in education for our children, to help the quality of teachers, which is one of the most important issues we face.

The gentleman from Florida (Mr. DAVIS) and I have a bill in that would help bring more teachers into the teaching profession that is nowhere to be found on the floor today, to try to help designate smaller class size, local control but smaller class size so that teachers are not overwhelmed with 26 kids but may have 16, 17 or 18 kids to try to again give local control over targeted resources in title I to help the most vulnerable kids.

I offered an amendment a year ago that got 39 Republican votes to increase funds for title I. Where is that bill today? Where is that money to help kids today? Our children are our message to the future.

Mr. OBEY. Mr. Speaker, I yield 30 seconds to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Speaker, while we are debating the great issues of education, I just want to recall a visit to Reedville Elementary School in Aloha, Oregon, where the class size initiative is working exactly as intended. There were 54 kids in the first-year class elementary school. Because of the Federal class size reduction initiative, instead of two classes of 27 kids, there were three classes of 18 kids. In Reedville in Aloha, Oregon, this program has made a difference. Let us keep it alive. Let us keep it going.

Mr. OBEY. Mr. Speaker, I yield 4 minutes to the gentleman from Missouri (Mr. GEPHARDT), the distinguished minority leader.

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

Mr. GEPHARDT. Mr. Speaker, I urge all Members to support this Obey motion, and I hope that there will be bipartisan support for this motion. We need to help more local districts deal with their desire to try to get to smaller class sizes. That, I think, is a goal that all of us can agree on. We know that smaller class size yields better academic results. We know why smaller class size works. It works for a simple reason. Parents spend one-third less time with children today than they did 20 years ago. Family life has changed in America. People have more jobs, more hours, more single-parent families, more traffic jams, more time commuting, more time away from home. And even when we are at home with kids, sometimes we do not communicate with them the way we once did.

And the one institution in our society that has the ability to help families fill in some of these holes is the schools.

Now, we also know that in today's world with children having less time with parents, it means they need more supervision and more attention from teachers.

□ 1345

But it is one thing to teach 30 kids or 35 kids when I grew up in the 1950s, and it is a very different thing to be teaching 30 or 35 kids today who have the chance to spend much less time with their parents.

Now, frankly, if we could have agreed on putting more dollars into this effort and left it kind of flexible as to what local districts would do, I think we could work that out. But I hope Members on both sides of the aisle in a bipartisan way will vote for this motion.

It makes sense, because it is reaching the right goal. The passion of this House must be helping parents carry out their most important responsibility, and that is raising our children to be productive law-abiding citizens. And class size, we know from experience, is the best way to do that.

We are willing to talk about other variations on the theme. We are willing to talk about flexibility, but we simply must in this appropriation budget process put the right amount of dollars and the right amount of effort behind America's most pressing and important need, and that is, making sure our classroom size is consistent with every child in this society being a productive law-abiding citizen.

Mr. Speaker, I urge Members on both sides of the aisle to vote enthusiastically for the Obey motion.

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

Mr. Speaker, I might say to the gentleman from Missouri (Mr. GEPHARDT) that I think he has just sung our song. We have the money in the account under Title VI, the education block grant, to provide for class size reduction. We have the money in the account to provide for school construction. There is money for teacher training. There is money for education technology.

The only difference here is that we do not make the local school districts spend it for what Washington thinks it ought to be spent for, we let local school districts make this decision because they know their needs far better than we do.

The gentleman from Missouri (Mr. GEPHARDT), the minority leader, just talked about flexibility, that is exactly what we are doing. We are providing the resources and saying to the local school districts, you make this decision; we are not going to make it in the Department of Education down on Independence Avenue. You are going to make the decision because you know best what your needs are.

The commitment for these needs is there. The flexibility is in the con-

ference report. The motion would simply say do not give the local school districts flexibility, make sure that the control remains in Washington. That is why we ought to oppose this motion.

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

Mr. OBEY. Mr. Speaker, I yield 45 seconds to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, I rise in support of the Obey motion. The Labor, HHS Education bill should provide the highest level of funding possible for the Department of Education. We have flexibility under current law for school districts to do what we want, what we do not want is to have local school districts take Federal money and put Astro turf on the football field instead of providing for kids in those classrooms.

My wife is a high school algebra teacher. I trust my local school districts. But I also know that if we tax folks, we ought to know where the money is going and not just send a blank check home. In Texas, 76 percent of our schools need repairs just to reach "good" condition, 46 percent need repairs and building features such as plumbing, air conditioning, heating and cooling, 60 percent have at least one environmental problem. That is why we have need to provide as high a funding as the Obey motion calls for the Department of Education.

Over the next decade, we will see our schools grow even more and more. We have to provide the funding through this motion and not just send a blank check to everybody in the country.

Mr. OBEY. Mr. Speaker, I yield 45 seconds to the gentleman from Wisconsin (Mr. KIND).

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

Mr. KIND. Mr. Speaker, just a couple of weeks ago, I had an opportunity of traveling around my congressional district visiting many schools and getting into a lot of technology classrooms that our kids are using, but I also used that as an opportunity to release a study that I had conducted in the congressional district in regards to where we were on class size reduction. And the study actually showed that in western Wisconsin we are doing a pretty good job and the results are showing with enhanced student performance.

But as I talked to the administrators and teachers and parents, they were asking for the creation of more partnerships and more dedicated revenue streams for class size reduction. In Wisconsin, we have something called revenue caps that prevents our local school districts from increasing revenue spending on priority areas and education.

One of the sources of funding that they are looking to more and more as a result of this policy is a revenue stream from Washington, and that is why I think the Obey amendment being offered here today is very important,

and I encourage my colleagues to support it.

Schools throughout my home-State of Wisconsin are tapping every resource available to reduce class size. School districts are also struggling to maintain and build the facilities necessary to offer a quality learning environment.

Class size reduction efforts at the local, State and Federal levels are proving effective at improving academic achievement. Schools across Wisconsin have been taking advantage of both the State class size reduction program, known as SAGE, and the Federal Class Size Reduction program to hire new teachers and provide professional development opportunities for their staffs.

We in Congress must remain committed to these priorities to ensure that all of our students benefit from the enhanced learning environment smaller classes and modern buildings offer. These efforts must not be considered short-term fixes, but long-term commitments.

But we should be committed to providing critical resources to particular areas and students in need. The role of Federal Government in education has always been to help those children with the most need and to address problems of national significance. At this point in time, simply increasing Federal block grants at the expense of proven, needed programs does away with that focus and simply reduces the role of the Federal Government to that of a new stream of revenue for Governors unwilling to tackle education issues directly through State funding.

Everyone's talking about education this election season. And I believe I hear candidates from both the Democratic and Republican parties talking about the need for greater accountability. Yet, more open-ended block grants are not going to advance accountability.

I'm all for local control of schools, but let's be honest; the level of funding we provide, while critical to many individual students and local schools in need, does not circumvent local control over their schools. But by targeting funds to those most in need and projects of most critical need we will continue the commitment to education we all claim to have.

Mr. OBEY. Mr. Speaker, how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from Illinois (Mr. PORTER) has 5 minutes, the gentleman from Wisconsin (Mr. OBEY) has 2 minutes.

Mr. OBEY. Mr. Speaker, I have only 1 remaining speaker, and I understand I have the right to close.

The SPEAKER pro tempore. The gentleman is correct.

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

Mr. Speaker, I just want to reiterate that the issue here is not about money. We are substantially above the President in most education accounts. We are, overall, \$600 million ahead of the President's requests for the Department of Education's funding in the conference report. We are substantially ahead of the President, a billion dollars ahead of the President, in special education. We are ahead of the President in student financial assistance. We are ahead in Pell Grants. We are ahead in TRIO, higher education, Historically

Black Colleges and Universities, Hispanic-serving institutions, education technology, education for the disadvantaged, impact aid, education for homeless, rehabilitation services.

We are ahead of the President in many of the important educational accounts, and overall we are over half a billion dollars ahead of the President in our commitment to funding of education. The real argument here is on flexibility or control.

Republicans insist that the local school districts that are in our society be charged with the responsibility for educating our kids, together with the States, 95 percent of the expenditures are State and local money, they ought to control how the money is spent. The Democrats on the other hand insist that Washington can make that decision for them and not want accountability. That is a nice word, it is control.

It is saying Washington is going to tell you how this money is going to be spent and you have to spend it that way. We put the money in; the money is there. It is there for class size reduction. It is there for school construction. It is there for teacher training, but the control is not there, the control is left where it should be with those who are accountable for educating our kids, the local school districts.

Mr. Speaker, we think that is the way to go. There is a profound philosophical difference here, and this motion does define that difference. If Members want local control, vote against the motion. If Members want local control, vote against the motion. If Members want control by Washington, vote for it. I would urge Members to vote no.

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

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

Mr. Speaker, no one is against districts having flexibility, but I would point out that under Title VI, which they want to expend without any strings whatsoever, audits discovered that one State used those funds to purchase an automobile for the State department of education; another State used it to pay their entire State education printing bill at the expense of the Federal Government; a third State used these funds for a banquet related to an entirely different program; another State used them for graduate classes taken by an employee of the State education agency. That points out for the need for accountability.

Mr. Speaker, 93 percent of the money spent at the local level is under control of local, State, or local and State school agencies; that will remain under local control. We are talking about whether we ought to have some ability to target the remaining 7 percent which comes from the Federal Government. We think we should.

The gentleman from Illinois (Mr. PORTER) says this is not about money.

That is absolutely not true. We want at least \$3 billion more in that bill for education, for school modernization, for class size reduction, for afterschool programs, for Pell Grant increases, for special education increases and a number of others that we outlined.

This asks two things: It asks, first of all, that we fund education at the highest possible level. It means we should take some of that \$28 billion in new money on the table and use it for education.

The majority party has told us in conference we cannot use a dime of that additional money for education; that puts education last rather than first as a national priority. That is backwards. The second thing we say is whatever amount of money you provide for local flexibility, do not use it as an excuse to gut our efforts to strengthen efforts to provide modern school buildings and smaller class size.

This country is wise enough and wealthy enough to do both.

Mr. CLAY. Mr. Speaker, I rise in support of Mr. OBEY's motion because it seeks to ensure that H.R. 4577 includes dedicated funding to address two critical needs of our public schools.

First, the motion seeks to preserve the Clinton/Clay class size reduction initiative, which is intended to eliminate overcrowded classrooms and boost student achievement.

Thus far, the class size initiative has enabled communities to hire nearly 30,000 teachers for the current school year, providing smaller classes in the early grades to an estimated 1.7 million children. President Clinton has proposed spending an additional \$1.75 billion in FY 2001, which would allow support for almost 50,000 teachers.

We should fully fund the President's request, and also provide a long-term authorization to ensure that the benefits of smaller classes, led by highly qualified teachers, are extended to even more school districts and students.

Mr. Speaker, I also support Mr. OBEY's motion because it would ensure H.R. 4577 includes funding to build and modernize 6,000 schools nationwide.

Today, over 28,000 public schools, have inadequate heating and cooling systems. Over 23,000 have inadequate plumbing, and more than 20,000 schools have leaking roofs. In addition, 2,400 new public schools will be needed by the year 2003 to accommodate rising enrollments and relieve overcrowding.

Mr. Speaker, if we fail to invest sufficient Federal resources in reducing class sizes and building better public schools, we will fail to give the help that is most needed to the students they serve.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I rise in support of Mr. OBEY's motion to instruct conferees to provide the "highest funding level possible" for the Education Department which is embodied in H.R. 4577, the Labor, Health, Human Services, and Education Appropriations Bill. The education of our nation's children is an issue of paramount concern. As Members of the House of Representatives we need to be committed to ensuring that all children are being educated in a safe and clean environment that is conducive to learning. We know, however, that in

many school districts all across the country this is not the case. Students are being educated in dilapidated school facilities with severely overcrowded classrooms. We should support the Administration's request for dedicated funds to reduce class sizes in early grades and for local school construction.

Research and common sense suggest that smaller classes offer teachers the chance to devote more time to each student which improves their ability to learn. A 1998 U.S. Department of Education report, "Reducing Class Size: What Do We Know?" indicates that reducing class size is related to increased student learning. Other studies have shown that smaller class sizes result in increased student achievement, a reduction in discipline problems and increased instructional time for teachers. In addition, smaller classes have been shown to be most important in early grades, and for disadvantaged and minority students.

Under the leadership of the Administration's Class-Size Reduction Initiative, a number of states have already implemented class size reduction programs. The state of California, which I represent, began its Class Size Reduction Program in 1996, giving money to school districts for the purpose of reducing the student/teacher ratio to 20 to 1 in kindergarten through third grade. The goal of the K-3 Class Size Reduction Program was to increase student achievement, particularly in reading and mathematics, by decreasing the class size to 20 or fewer students per certified teacher. The program has been a great success as over 90 percent of the state's schools are participating in the class-size reduction program, academic achievement is up and the state has dedicated a record amount of money for teacher recruitment and school construction. Similar results are being experienced all across the country and serve as a testament to the importance of promoting smaller class sizes.

Smaller classes require larger, modern facilities. The motion to instruct conferees offered by my colleague, Congressman OBEY, recognizes that federal funds need to be targeted toward school construction if we are to meet the needs of students across the nation. Communities across the country are struggling to address critical needs to renovate existing schools and build new ones. School construction and modernization are necessary to accommodate rising student enrollments, to help reduce class sizes and to make sure schools are accessible to all students. According to the General Accounting Office, two-thirds of America's schools are in need of extensive repair and replacement of major structures. The state of California has estimated \$22 billion in school infrastructure and modernization needs. I have walked through school facilities with leaking roofs, splintered chairs, and walls with severe water damage. This is unacceptable. America's students deserve better, and I congratulate Mr. OBEY for working diligently to ensure that they get better.

I strongly support Mr. OBEY's motion to instruct because it focuses on the need to provide students with the best possible learning environment which consists of smaller classes in safe school buildings, that are conducive to learning.

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

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

There was no objection.

The SPEAKER pro tempore. A division of the question has been demanded.

The Chair will first put the question on the portion of the motion through the semicolon. The Chair will then put the question on the remaining portion.

Without objection, an electronic vote on the second portion may be a 5-minute vote, if following a 15-minute vote on the first portion.

There was no objection.

The SPEAKER pro tempore. The Clerk will report the first portion of the divided question.

The Clerk read as follows:

Mr. OBEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 4577, be instructed to insist on the highest funding level possible for the Department of Education;

The SPEAKER pro tempore. The question is on the first portion of the divided motion offered by the gentleman from Wisconsin (Mr. OBEY).

The first portion of the motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the second portion of the divided question.

The Clerk read as follows:

Mr. OBEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 4577, be instructed to insist on disagreeing with provisions in the Senate amendment which denies the President's request for dedicated resources to reduce class sizes in the early grades and for local school construction and, instead, broadly expands the Title VI Education Block Grant with limited accountability in the use of funds.

The SPEAKER pro tempore. The question is on the second portion of the divided motion offered by the gentleman from Wisconsin (Mr. OBEY).

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

Mr. OBEY. 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 222, nays 201, not voting 10, as follows:

[Roll No. 484]

YEAS—222

Abercrombie	Blumenauer	Conyers
Ackerman	Bonior	Costello
Aderholt	Borski	Coyne
Allen	Boswell	Cramer
Andrews	Boucher	Crowley
Baca	Boyd	Cummings
Baird	Brady (PA)	Danner
Baldacci	Brown (FL)	Davis (FL)
Baldwin	Brown (OH)	Davis (IL)
Barcia	Capps	DeFazio
Barrett (WI)	Capuano	DeGette
Becerra	Cardin	Delahunt
Bentsen	Carson	DeLauro
Berkley	Clay	Deutscher
Berman	Clayton	Dicks
Berry	Clement	Dingell
Bishop	Clyburn	Dixon
Blagojevich	Condit	Doggett

Dooley	Lewis (GA)	Rangel
Doyle	Lipinski	Reyes
Edwards	LoBiondo	Rivers
Engel	Lofgren	Rodriguez
Eshoo	Lowey	Roemer
Etheridge	Lucas (KY)	Rothman
Evans	Matsui	Roybal-Allard
Farr	Luther	Rush
Fattah	Maloney (CT)	Salmon
Filner	Maloney (NY)	Sanchez
Fletcher	Markey	Sanders
Foley	Mascara	Sandlin
Forbes	Matsui	Sawyer
Ford	McCarthy (MO)	Schakowsky
Frank (MA)	McCarthy (NY)	Scott
Frost	McDermott	Serrano
Gallegly	McGovern	Shaw
Gejdenson	McInnis	Sherman
Gephardt	McIntyre	Sherwood
Gilman	McKinney	Shows
Gonzalez	McNulty	Sisisky
Gordon	Meehan	Skelton
Green (TX)	Meek (FL)	Slaughter
Gutierrez	Meeke (NY)	Smith (NJ)
Hall (OH)	Menendez	Smith (WA)
Hastings (FL)	Millender-	Snyder
Hill (IN)	McDonald	Spratt
Hinchey	Miller, George	Stabenow
Hinojosa	Minge	Stark
Hoeffel	Mink	Stenholm
Holden	Moakley	Strickland
Holt	Mollohan	Stupak
Hooley	Moore	Tanner
Hoyer	Moran (VA)	Tauscher
Inslee	Morella	Taylor (MS)
Jackson (IL)	Murtha	Thompson (CA)
Jackson-Lee	Nadler	Thompson (MS)
(TX)	Napolitano	Thurman
Jefferson	Neal	Tierney
John	Ney	Towns
Johnson (CT)	Oberstar	Turner
Johnson, E. B.	Obey	Udall (CO)
Kanjorski	Oliver	Udall (NM)
Kaptur	Ortiz	Upton
Kelly	Owens	Velazquez
Kennedy	Pallone	Visclosky
Kildee	Pascrell	Waters
Kilpatrick	Pastor	Watt (NC)
Kind (WI)	Payne	Waxman
Klecza	Pelosi	Weiner
Kucinich	Peterson (MN)	Wexler
LaFalce	Phelps	Weygand
Lampson	Pickett	Wise
Lantos	Pomeroy	Woolsey
Larson	Price (NC)	Wu
Lee	Quinn	Wynn
Levin	Rahall	
	Ramstad	

NAYS—201

Archer	Crane	Hayes
Armey	Cubin	Hayworth
Bachus	Cunningham	Hefley
Baker	Davis (VA)	Herger
Ballenger	Deal	Hill (MT)
Barr	DeLay	Hilleary
Barrett (NE)	DeMint	Hobson
Bartlett	Diaz-Balart	Hoekstra
Barton	Dickey	Horn
Bass	Doolittle	Hostettler
Bereuter	Dreier	Houghton
Biggett	Duncan	Hulshof
Bilbray	Dunn	Hunter
Bilirakis	Ehlers	Hutchinson
Biiley	Ehrlich	Hyde
Blunt	Emerson	Isakson
Boehlert	English	Istook
Boehner	Everett	Jenkins
Bonilla	Ewing	Johnson, Sam
Bono	Fossella	Jones (NC)
Brady (TX)	Fowler	Kasich
Bryant	Franks (NJ)	King (NY)
Burr	Frelinghuysen	Kingston
Buyer	Ganske	Knollenberg
Callahan	Gekas	Kolbe
Calvert	Gibbons	Kuykendall
Camp	Gilchrest	LaHood
Canady	Gillmor	Largent
Cannon	Goode	Latham
Castle	Goodlatte	LaTourette
Chabot	Goodling	Leach
Chambliss	Goss	Lewis (CA)
Chenoweth-Hage	Graham	Lewis (KY)
Coble	Granger	Linder
Coburn	Green (WI)	Lucas (OK)
Collins	Greenwood	Manzullo
Combest	Gutknecht	Martinez
Cook	Hall (TX)	McCollum
Cooksey	Hansen	McCrery
Cox	Hastings (WA)	McHugh

McKeon	Rogan	Sweeney
Metcalf	Rogers	Talent
Mica	Rohrabacher	Tancredio
Miller (FL)	Ros-Lehtinen	Tauzin
Miller, Gary	Roukema	Taylor (NC)
Moran (KS)	Royce	Terry
Myrick	Ryan (WI)	Thomas
Northup	Ryun (KS)	Thornberry
Norwood	Sanford	Thune
Nussle	Saxton	Tiahrt
Ose	Scarborough	Toomey
Oxley	Schaffer	Trafficant
Packard	Sensenbrenner	Vitter
Paul	Sessions	Walden
Pease	Shadegg	Walsh
Peterson (PA)	Shays	Wamp
Petri	Shimkus	Watkins
Pickering	Shuster	Watts (OK)
Pitts	Simpson	Weldon (FL)
Pombo	Skeen	Weldon (PA)
Porter	Smith (MI)	Weller
Portman	Smith (TX)	Whitfield
Pryce (OH)	Souder	Wicker
Radanovich	Spence	Wilson
Regula	Stearns	Wolf
Reynolds	Stump	Young (AK)
Riley	Sununu	Young (FL)

NOT VOTING—10

Burton	Klink	Sabo
Campbell	Lazio	Vento
Hilliard	McIntosh	
Jones (OH)	Nethercutt	

□ 1421

Messrs. CHABOT, GUTKNECHT, GILCHREST, PICKERING, WELLER, YOUNG of Alaska and METCALF changed their vote from "yea" to "nay."

Messrs. SNYDER, GILMAN, BARCIA, GALLEGLY and ADERHOLT changed their vote from "nay" to "yea."

So the second portion of the divided motion to instruct was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. GILLMOR). Without objection, two motions to reconsider are laid on the table.

There was no objection.

LISTEN TO SCIENTIFIC EXPERTS; NOT FEAR PROFITEERS

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

Mr. SMITH of Michigan. Mr. Speaker, the American taxpayer is making a considerable investment in research through the spending of Congress and the President. Part of the research that I am particularly interested in is the basic plant genome research.

Current sequencing efforts on the Arabidopsis plant has allowed us to understand the plant gene and our ability to modify plants, with the potential of tremendously helping mankind throughout the world. We now have the ability to select one or two or a few genes, whose characteristics have been determined, and incorporate those genes into another plant to improve the nutrient digestibility, to improve the vitamins, to improve the needed minerals, to create the disease immunization values of that particular food product.

We are now faced with what I call fear profiteers that are spreading the word of fear to stymie research. My