

Buyer	Herger	Ramstad
Callahan	Hilleary	Regula
Calvert	Hobson	Reynolds
Camp	Hoekstra	Riley
Canady	Horn	Rogan
Cannon	Hostettler	Rogers
Castle	Houghton	Rohrabacher
Chabot	Hulshof	Ros-Lehtinen
Chenoweth-Hage	Hunter	Roukema
Coble	Hutchinson	Royce
Coburn	Hyde	Ryan (WI)
Combust	Isakson	Ryun (KS)
Condit	Istook	Sanford
Cook	Johnson, Sam	Schaffer
Cooksey	Jones (NC)	Sensenbrenner
Cox	Kelly	Sessions
Crane	King (NY)	Shadegg
Cubin	Kingston	Sherwood
Cunningham	Knollenberg	Shimkus
Davis (VA)	Kolbe	Shuster
Deal	Kuykendall	Simpson
DeLay	LaHood	Skeen
DeMint	Largent	Smith (MI)
Diaz-Balart	Latham	Smith (TX)
Doolittle	LaTourette	Spence
Dreier	Leach	Stearns
Duncan	Lewis (CA)	Stenholm
Ehlers	Lewis (KY)	Stump
Ehrlich	Linder	Sununu
English	Manzullo	Sweeney
Everett	Martinez	Tancredo
Ewing	McCrery	Tauzin
Fletcher	McInnis	Taylor (MS)
Foley	Metcalf	Taylor (NC)
Fossella	Miller (FL)	Terry
Frelinghuysen	Miller, Gary	Thomas
Galleghy	Moran (KS)	Thornberry
Ganske	Myrick	Thune
Gekas	Nethercutt	Tiahrt
Gilchrest	Norwood	Toomey
Gillmor	Nussle	Trafficant
Gilman	Oxley	Upton
Goode	Packard	Vitter
Goodlatte	Paul	Walden
Goodling	Pease	Walsh
Goss	Peterson (MN)	Watkins
Graham	Petri	Weldon (PA)
Granger	Pickering	Weller
Green (WI)	Pitts	Whitfield
Gutknecht	Pombo	Wicker
Hall (TX)	Porter	Wilson
Hastings (WA)	Portman	Wolf
Hayworth	Pryce (OH)	Young (AK)
Hefley	Radanovich	Young (FL)

NOT VOTING—73

Ackerman	Fowler	Mica
Archer	Frank (MA)	Mollohan
Bilbray	Franks (NJ)	Neal
Bishop	Gejdenson	Northup
Boehrlert	Gibbons	Ose
Boucher	Greenwood	Peterson (PA)
Boyd	Hansen	Pickett
Brady (TX)	Hastings (FL)	Sabo
Brown (FL)	Hayes	Salmon
Brown (OH)	Hill (MT)	Saxton
Campbell	Hinojosa	Scarborough
Chambliss	Jackson-Lee	Scott
Clay	(TX)	Shaw
Collins	Jenkins	Shays
Conyers	Johnson (CT)	Spratt
Danner	Kasich	Talent
Davis (FL)	Kennedy	Turner
Dickey	Kilpatrick	Wamp
Dicks	Klink	Waters
Dingell	Lantos	Watts (OK)
Dooley	Lazio	Waxman
Dunn	Lucas (OK)	Weldon (FL)
Emerson	McCollum	Wexler
Forbes	McIntosh	Wise
Ford	McKeon	

□ 1416

Mr. NUSSLE, Mr. GALLEGLY, Mrs. WILSON, Mr. EHLERS, Mrs. ROUKEMA, and Mr. PORTMAN changed their vote from "yea" to "nay."

Mr. NEY 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.

Stated for:

Mr. SAXTON. Mr. Speaker, on rollcall No. 590, I was unavoidably detained. Had I been present, I would have voted "yea."

Stated against:

Mr. GIBBONS. Mr. Speaker, I was unavoidably detained and missed House rollcall Vote No. 590. Had I been present, I would have voted "nay."

Mr. SOUDER. I erroneously voted in favor of rollcall vote No. 590, the Holt Motion to Instruct Conferees on H.R. 4577, the Departments of Labor, Health, and Human Services, and Education and Related Agencies Appropriations Act for fiscal year 2001. I intended to vote "nay" on that rollcall vote.

□

NATIONAL RECORDING PRESERVATION ACT OF 2000

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4846) to establish the National Recording Registry in the Library of Congress to maintain and preserve sound recordings that are culturally, historically, or aesthetically significant, and for other purposes, with Senate amendments thereto, and disagree to the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Senate amendments:

Page 2, line 13, after "recordings" insert "and collections of sound recordings".

Page 2, line 20, after "recordings" insert "and collections of sound recordings".

Page 2, line 23, strike out "10" and insert "25".

Page 3, line 4, after "recordings" insert "and collections of sound recordings".

Page 3, line 10, after "recording" insert "or collection of sound recordings".

Page 3, line 14, after "recording" insert "or collection of sound recordings".

Page 3, line 22, after "recording" insert "or collection of sound recordings".

Page 4, line 11, after "recording" insert "or collection of sound recordings".

Page 4, line 20, after "recording" insert "or collection of sound recordings".

Page 4, line 22, strike out "recording," and insert "recording or collection."

Page 6, line 21, after "access" insert "(including electronic access)".

Page 11, line 21, after "TION" insert "OR ORGANIZATION".

Page 13, line 5, after "recordings" insert "and collections of sound recordings".

Page 14, after line 21, insert:

(c) ENCOURAGING ACCESSIBILITY TO REGISTRY AND OUT OF PRINT RECORDINGS.—The Board shall encourage the owners of recordings and collections of recordings included in the National Recording Registry and the owners of out of print recordings to permit digital access to such recordings through the National Audio-Visual Conservation Center at Culpeper, Virginia, in order to reduce the portion of the Nation's recorded cultural legacy which is inaccessible to students, educators, and others, and may suggest such other measures as it considers reasonable and appropriate to increase public accessibility to such recordings.

Page 15, after line 7, insert:

SEC. 126. ESTABLISHMENT OF BYLAWS BY LIBRARIAN.

The Librarian may establish such bylaws (consistent with this subtitle) as the Librarian considers appropriate to govern the organization and operation of the Board, includ-

ing bylaws relating to appointments and removals of members or organizations described in section 122(a)(2) which may be required as a result of changes in the title, membership, or nature of such organizations occurring after the date of the enactment of this Act.

Page 16, after line 18, insert:

SEC. 133. ENCOURAGING ACTIVITIES TO FOCUS ON RARE AND ENDANGERED RECORDINGS.

Congress encourages the Librarian and the Board, in carrying out their duties under this Act, to undertake activities designed to preserve and bring attention to sound recordings which are rare and sound recordings and collections of recordings which are in danger of becoming lost due to deterioration.

Page 16, line 19, strike out "133" and insert "134".

Amend the title so as to read: "An Act to establish the National Recording Registry in the Library of Congress to maintain and preserve sound recordings and collections of sound recordings that are culturally, historically, or aesthetically significant, and for other purposes."

Mr. THOMAS (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments be considered as read and printed in the RECORD.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentleman from California?

There was no objection.

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

There was no objection.

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. WU. Mr. Speaker, I rise to offer the motion to instruct that I presented yesterday pursuant to clause 7(c) of rule XXII.

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

The Clerk read as follows:

Mr. WU 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 size in the early grades and instead, broadly expands the Title VI Education Block Grant with limited accountability in the use of funds.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WU) and the gentleman from Delaware (Mr. CASTLE) each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Oregon (Mr. WU).

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

Mr. Speaker, today I urge the leadership to keep our promise to the Nation's school children by continuing the program to reduce class size in the

early grades. For the past 2 years, this Congress has provided funds through the class size reduction initiative to reduce class size in the early grades to a size of students of 18 or less.

I have seen this program work in my home State of Oregon. At Reedville Elementary School in Aloha, Oregon, there was an extraordinarily large incoming class of first graders of 54 students. Instead of the two first grade teachers that they did have, the class size reduction initiative permitted Reedville Elementary School to hire an additional first grade teacher, and because of this program, working exactly as intended, Reedville Elementary School has three classes of 18 first graders instead of two classes of 27 first graders. Something similar has been happening at William Walker Elementary School in Beaverton, Oregon, where class size in first grade was reduced from an average of 25 to 22. It would have been reduced more if not for significant and unexpected population growth.

This program is working. It has worked for the past 2 years. We should keep our agreement with each other across this aisle, but, more importantly, our agreement with the school children of Oregon and America and work as hard as we can before this session ends to reduce class size in the early grades.

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

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

Mr. Speaker, I do rise in opposition to the specifics of the motion to instruct conferees presented by the distinguished gentleman from Oregon; but in the principle of what he is saying, I reach full accord and agreement, and I think frankly most Members here probably do and most people involved with education probably do.

I have been worried about education for many, many decades now in my State of Delaware. I have visited all of the public schools in Delaware at one time or another. I have been in those classes, and I have watched what happens as you get smaller class sizes, particularly with the younger ages, with the use of teachers or teacher aides who can achieve the level of being able to teach at a teacher's level, and I have seen the benefits that come from that. That is something that we in my State have done. With legislation we have mandated, particularly in the lower class sizes, the lower ages and we think that has made a difference as far as all this is concerned.

I think we as Republicans have recognized that fully in the Congress of the United States. As a matter of fact, I think it is very important to point out, and to me this is the crux of this whole discussion we are having right here, and, that is, that what is conspicuously absent from this motion to instruct is language requesting further increases in education spending.

The Republican Congress has provided dramatic education spending in-

creases in recent years. In the 5 years before this, we have increased spending for education by 8.2 percent a year, well above the cost of inflation and well above the 6 percent a year in the 5 years before that when the Democrats were in control of the Congress of the United States of America. As I have said in the previous discussion, the increases for this year in the Labor-HHS-Education bill for K-12, and there is no argument with this, there are arguments with another part of that bill right now, are 20 percent which is a dramatic commitment to education. We in the majority side, of course, are very proud of that.

That having been said, we need to deal with this particular issue. Again we are not dealing with numbers. We are dealing with flexibility and how one is going to spend money. We are willing to expend the money, but we have indicated that, of the \$1.7 billion request, that three-quarters of it should go to class size and a quarter of it should go for teacher training, unless you have more than 10 percent who are not qualified to teach a course, in which case 100 percent would go for class size.

Why do it that way? It is very simple, Mr. Speaker. As you go across the United States of America, you are going to find that there are 15,000 school districts with over a million classrooms. You are going to find classrooms that have a large number of students in them, with good teachers, who have the ability to handle those children and teach them well. You are going to find other circumstances in which you have a classroom with somebody who could be a good teacher but needs some sort of training in order to become better. You are going to have a variety of situations with teachers and aides where they are able to make it all come together and teach kids as well as possible, all driving at the purpose of the motion to instruct conferees, that is, to reduce class size but, more importantly, to make sure that we are teaching those children as well as we possibly can.

We say give them that flexibility, give them some flexibility in some instances to be able to train teachers better. There are too many teachers, frankly, who are teaching courses for which they are ill prepared. Perhaps they did not study that as a substantive course when they prepared to be a teacher; perhaps they just do not have the knowledge. Perhaps they do not have teaching skills. We say that we need to address that.

But that is not what is really important. What is important is we are saying, Let's put some flexibility into the program. The decision should not be made here in Washington at the Department of Education or at the White House. It should be made back in Oregon, Delaware, Pennsylvania, or wherever it may be, or done in the various towns and school districts within our States as they make the decision as to

what is in the best interests of those children for their education.

Those are the differences. The differences are not great, but they are important and they are distinguishable differences. I happen to believe the flexibility side of it is the side which is right. Obviously, the gentleman from Oregon feels differently; but my view is that we have put the money in, we have provided the necessary flexibility, we are trying to help with more teachers and help teachers prepare better. If we do that, then we have taken the right steps to help all of our children with their education.

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

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

I thank the gentleman from Delaware. The gentleman must recall that we worked closely together on the Education Flexibility Partnership Act. We both believe in flexibility. We both believe in local control. In the funding for the class size reduction program, last year we negotiated additional flexibility for the use of these funds. We negotiated an increase in flexibility in using the funds for teacher training from 15 percent going up to 25 percent.

I must point out to the gentleman that local school authorities are using only 8 percent of those funds for teacher training. The rest they are using for class size reduction as was originally intended. The gentleman and I share our interest in flexibility. However, it appears to me that local school authorities are using the funds for class size reduction the way that we think they would.

Mr. Speaker, I yield 2½ minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in strong support of the motion offered by the gentleman from Oregon (Mr. WU). Every parent wants to send their child to a public school with the best qualified teachers, high standards that challenge students, and that provides the kind of discipline that our youngsters need. That means an investment in teacher training, a commitment to turning around failing schools and helping schools with the cost of special education, helping school districts build and modernize 6,000 crumbling schools.

But at the center of every quality school are high-quality teachers. There is a serious teacher shortage on the horizon. Class sizes are already exploding, making it more difficult for teachers to reach every student and to be able to inspire them. Studies clearly show that reducing class size makes a tremendous difference. By keeping class size down, classrooms can become again a place of learning, of discipline, where teachers can teach and children can learn.

This is not about numbers. It is about an educational environment. We ought to be able to do that for America's families and for America's children.

Despite what my colleagues say on the other side of the aisle, this issue is not settled and that is for one specific reason: the Republican leadership of this House went back on their word. They wrecked a bipartisan agreement that would have made this investment in schools. And they did it all because of an issue that was totally unrelated to education, but an issue that the special interests could not abide. So the Republican leadership faced the choice. They could side with public school children or they could side with the special interests. The choice that they made speaks volumes about their priorities and their values. They stood with the special interests.

Let me quote the Washington Post today: "Fierce lobbying by powerful corporate groups with considerable sway among the GOP leadership helped kill a deal sealed with Republican negotiators early Monday, led by the U.S. Chamber of Commerce and the National Association of Manufacturers."

They stood with the special interests. That is why we are here today. That is why we are fighting to make this education investment happen. We cannot trust the Republican leadership to keep their word and invest in schools unless we keep their feet to the fire. We have got to speak up for America's public schools, to make sure that the voices of America's public schools and the children that rely on them are heard in this House. Ninety percent of our youngsters are in public schools today. We should not be here for the special interests, but because of America's children.

Pass this motion. Let us do something positive for America's children and for America's families today. That is what our values dictate that we do in this body.

□ 1430

Mr. CASTLE. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Pennsylvania (Mr. GOODLING), 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, as I said at the beginning of the last discussion on school renovation, how lucky people are if they did not get to see it on Saturday, they now get to see the same production on the same stage today. They get to see it twice in a couple of days. The only difference is that the leading players were leading ladies on Saturday. Today the leading players are leading men. That is the only difference in the debate and the discussion.

Of course, again, we are talking about something that is already a done deal. Last year, we tried to make it very clear to the President that everybody understands that class size reduction in early grades is very, very important if, if there is a quality teacher

to put in the classroom. I could not get him to talk about quality, but I am so happy that the last year and a half that is all he has been talking about. So I made some progress.

When we were negotiating last year, fortunately one of the largest school districts of the newspaper that covers that area had the entire front page said, parents, do you understand that 50 percent of the teachers that are teaching your children are not qualified? So every time I would talk about flexibility, I would open this up. We were not talking about flexibility to do anything you want under the sun. We were saying, wait a minute. If they have 50 percent of unqualified teachers in that classroom now, should we not be allowing them to use some of this; perhaps they have some potentially very good teachers, that, with some additional instruction, some additional help, could make a first class teacher? Of course, what happened? The first group of teachers hired under this program, over 30 percent were not qualified, and the tragedy was that they went right into those same school districts where they already had 20, 30, 40 and 50 percent unqualified teachers. That is exactly what I knew would happen. We should have taken a lesson from Governor Wilson. He pushed the same issue, but he did not have the flexibility in it.

So what happened? In Los Angeles, they hired 30 some percent of totally unqualified teachers. When a new classroom is created, it has to have someone in that classroom. So they had to hire unqualified teachers.

Fortunately, we got our message through last year. We negotiated in good faith. We got our flexibility to make sure that if potentially there were good teachers, there was an opportunity to make them real quality teachers. There is no substitute, after the parent, for a quality teacher in the classroom. I do not care whether it is a marble building, whatever it is. It is the quality teacher in the classroom.

Mrs. Yost had to teach all of us in one building, 100-year-old building I might mention. She had to teach all the special needs children. She had to teach everybody. She had to teach all four grades, but she was an outstanding quality teacher and she could do that.

So what we negotiated last year, what we got, was that there has to be the flexibility. What we have already negotiated again this year is exactly what we got last year, and, therefore, it is a done deal. So we are here, again as I said before, maybe in Oregon they are not on lunch break yet, but I do not know why we are going through this same procedure that we went through on Saturday. I said all we did was change the leading characters. I said that to two of the ladies that were the leading characters on Saturday and they said well, we thought we would give the men a chance today. So I guess that is what it is all about.

We want reduced class size if there is a class quality teacher to put in that

classroom. The biggest job we are going to have from now until I do not know when is getting quality teachers in the center-city America and quality teachers into rural America. I do not know the answer to that. We have tried to give all sorts of monetary benefits. We will reduce their loan if they will just commit to going there and teaching. It has not worked. We have tried to have alternative certification, but we do not have anything to do with certification.

So if we get someone that wants to change their career in the middle of their lives, they are not going to go back and take 30 credits in pedagogy. I do not blame them. I have had 90 of them. That is enough for a lifetime. You are going to have to find some way to get quality teachers in center-city America and rural America. We have not come up with that solution.

As I have mentioned many times, it used to be easy because we had the brightest and best women who had two choices. They could be a teacher or they could be a nurse if they wanted to be a professional. That is gone forever and, therefore, getting teachers in areas that are quality teachers is very difficult.

This great idea that we will have national certification, what does that do for center-city America? It does nothing. It does nothing, because where do they go? They go where they are sure that they will have an opportunity to teach as they want to teach.

So, again, we are going through an exercise today, as we went through on Saturday, which is an exercise in futility. It has already been negotiated. It is exactly the same as last year, which makes everybody happy because now we are talking about a quality teacher in the classroom. Do not reduce the class from 23 to 18 and put somebody in that classroom that does not know how to teach and does not have the qualifications to teach, because I will guarantee that the only thing that will have been done is spare five other people from being in a classroom where there is not a quality teacher.

So let us quit playing the games. Let us get on with the business. It is negotiated. It is there. It is the same as last year. It gives us the flexibility we say one positively has to have if they are going to get quality teachers in classrooms. That should be our whole emphasis: Quality, quality, quality.

I sat there for 20 years and all I ever heard was, if we just had another \$5 billion, if we could just cover another 100,000 children, then all the problems would go away.

Nobody ever asked, are we covering them with quality or are we covering them with mediocrity? In many instances we were covering them with mediocrity. That is a tragedy. The disadvantaged under title I are still disadvantaged. We have not closed the achievement gap at all. We have to have a quality teacher in a classroom and then reduce class size. Do not put

the cart before the horse. Do not try to eliminate the flexibility to try to make existing teachers who are in that workforce now anything other than better teachers. That is what we should be doing. That is what we agreed to do, and, therefore, as I said, it is a done deal, same as last year; and again hopefully, we will not make the mistake we made the first year, because the first year 30 percent of all of those who were hired had no qualifications whatsoever and tragically went into the very classrooms in center-city America where the very best teacher was needed. That was a real tragedy. We cannot let that happen.

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

Mr. Speaker, I would like to agree with the distinguished chairman on one issue, and that is I agree with the chairman and with the Bard that we are but players temporarily on this stage, but it is not so for the children of America. For each day that passes in their school year we never get that day back. We never get a day back when we miss a day of quality education, and that is what makes this debate absolutely crucial.

I disagree with the distinguished chairman on two important issues. This is not exactly the same as last year. The dollar amounts are different. There is a one-third increase in this bill for the class size reduction program; and, in addition, the chairman's concern about qualified teachers is addressed because there is a requirement this year for 100 percent qualification for the teachers hired under this program.

Mr. Speaker, I yield 2½ minutes to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Speaker, I would like to thank my friend and colleague, the gentleman from Oregon (Mr. WU), for bringing this important issue to the attention of the Congress.

As a former teacher, Mr. Speaker, I rise in strong support of the class size reduction program. There is overwhelming data to demonstrate the single most significant factor in boosting academic achievement in the classroom is the presence of a fully qualified teacher in smaller classrooms, and in conjunction with high standards.

What this means is that we can search out the very best teachers in the country. We can send them through top-of-the-line training programs. We can give them the latest technology and textbooks, but if we do not do something to reduce the size of the classrooms, particularly in kindergarten through third grade, which exceeds over 30 students in many of our schools, we will not be giving our children the education they deserve.

In the 1999/2000 act, due to the class size reduction program, schools in my district received the following: 17 new first grade teachers; 14 new second grade teachers; 12 new third grade teachers; and 3 new teachers for other

grades. When I visit with school administrators, when I visit with parents, when I visit with teachers, they like this program. They say it works.

This is a program that makes a difference in their schools. Altogether, this program has helped our Nation's schools hire 29,000 highly qualified new teachers. If we eliminate this program, we not only jeopardize the gains we have made but we will prevent schools from hiring additional 20,000 qualified teachers to serve over 2.9 million children.

As the end of this session draws near, hopefully it draws near, this is a program that we cannot let fall through the cracks. We talked this session a lot about having a surplus. We need to use that surplus to pay down the debt. We need to use that surplus to shore up Social Security and Medicare. We need to use that surplus for reasonable tax cuts, but we need to use that surplus to continue the investment in our children.

I urge my colleagues to support this motion.

Mr. CASTLE. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the Committee on Education and the Workforce.

Mr. GOODLING. Mr. Speaker, I just want to repeat one more time, there is no argument about whether reducing class size is good in early grades if there is a quality teacher to put in the classroom. Everybody agrees to that. I did that 30 years ago as a superintendent of schools. I did not come to Washington and ask to do that. I went to my school board and asked to do that, and they agreed. I hope no one on that side was somehow or another saying these qualifications were put in because somebody on that side or somebody down at the White House wanted to do it. The qualification issue was forced upon the administration, and I was one of the leading enforcers, and the gentleman from California (Mr. GEORGE MILLER) helped me, I might also say, when the Secretary came up to enlist his support last year. He said he was tired of the gentleman from Pennsylvania (Mr. GOODLING) beating us up over the issue of quality.

Again, let me remind everyone that this year's negotiation is even better, because last year we said if there was more than 10 percent unqualified teachers 100 percent of the money could be used to improve the quality of the teachers in the force, if the State was an ed-flex State. The White House agreed with us. We will remove the ed-flex State business so all of those center cities now have an opportunity, as a matter of fact, to use their money to improve the quality of teachers in their classrooms.

Mr. WU. Mr. Speaker, I yield myself such time as I might consume, to say that the chairman and I share a passion for flexibility at the local level.

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

Mr. CROWLEY. Mr. Speaker, I thank the gentleman from Oregon (Mr. WU) for yielding me such time.

Mr. Speaker, I do not doubt for one minute the commitment by my colleagues and the Chair on the other side of the aisle for 1 minute his dedication towards helping reduce class sizes throughout this country.

I just want to talk about the effects that it had on New York City. For the bill that was passed last year, the 1999/2000 act, New York City received \$61 million in Federal class size reduction funds. In addition, the city received some \$49 million in State funds to help reduce the size of classes as well. The State and Federal funds created 950 new smaller classes in grades K through 3 with an average of about 20 students in each class. New classes were created in 530 of the district's 675 schools; remarkable usage of that Federal and State dollars.

The Independent Education Priorities Board recently completed a study, and the study revealed, among improvements reported, results were that noticeable; declines in the number of disciplinary referrals; improved teacher morale; a focus on prevention rather than remediation; and higher levels in classroom participation by students. This is really working, and we want to see that continue.

I understand this may have taken place on Saturday, the debate as well again, and once again we find ourselves in the same act being repeated, but we had an agreement. The conferees met. The conference report was signed, and the leadership, the GOP leadership, killed that deal, making a mockery, in my opinion, of the conferee process. So if this is a show, if this is a ploy, the Republican leadership has created it.

I suppose we will take this play on the road. We will take this play off Broadway and on the road back to our districts, and I guess on Tuesday the people will decide who was right and who was wrong.

Mr. CASTLE. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Wisconsin (Mr. PETRI), a senior member of the Committee on Education and the Workforce in the House of Representatives.

□ 1445

Mr. PETRI. Mr. Speaker, I thank the gentleman from Delaware (Mr. CASTLE) for yielding me this time.

I rise in opposition to the motion because it is a step backwards as far as flexibility is concerned for local school districts, and that is very important.

The legislation that we are basically talking about increases funding for schools and for hiring teachers and for teacher training, and that carries forward a pattern that we have seen under the chairmanship of the gentleman from Pennsylvania (Mr. GOODLING) during the last 6 years in this committee. He has constantly talked to us, as we have heard here this afternoon, about the importance of having quality in

education; and he has not just talked about it, he is the point man in negotiations over a number of budgets and has actually managed to get significant flexibility in these programs.

What is the difference? Well, let me just give my colleagues an example. If one happens to represent a relatively rural area or an area with a small school district, without the efforts of the chairman of this committee in negotiations, one would get nothing out of this program, because half the school districts in the country, their share of the money we are talking about would be less than the salary of one teacher. Because of the flexibility that the gentleman from Pennsylvania (Mr. GOODLING) negotiated a year ago in the budget, if we do not get enough money under this Federal program to hire even one teacher, then one gets the money for teacher training and upgrading, and one can participate in this program. That is half the school districts in the United States.

He also fought repeatedly to try to have as much of the funds we are talking about in this program to be able to be used not just to hire bodies, but to assure quality, by teacher training and a variety of other approaches, and that is important. In the real world, the area that I represent, I visit a lot of schools and, by the way, in our State, school construction is going forward at a very great pace because of changes in the way the State aid program works. And the new schools, of course, are much different than the older schools. We have electricity, not just a couple of lights, but wired all the way through, and the kids are going to be learning with computers and personal computers as an aid from early grades on in the next few years. The whole configuration of the school and how it works changes.

Also, we are in our communities trying to get much more parental and community involvement in education. I was just recently at a school district dedication where there was, in addition to the classrooms, a senior citizens center. Why? Because they wanted to have a separate entrance for the senior citizens and then the doors open so that seniors could be honorary grandparents to young kids and read with them and have them as friends. We have had a family crisis in our country. We have many families with just one parent and that person having to work, and what is to happen to the little kid? There is no one taking an interest in them.

So trying to do things like this makes a lot of sense, and just a one-size-fits-all that does not provide flexibility would miss opportunities in the areas I represent and all across the country. So I hope my colleagues will listen to the gentleman from Pennsylvania (Mr. GOODLING) and not support the motion.

Mr. WU. Mr. Speaker, I yield myself such time as I may consume to point out that on a bipartisan basis we

passed that flexibility. We all believe in that flexibility. The gentleman from Delaware and the chairman share that perspective, as do most of my colleagues on this side of the aisle.

Mr. Speaker, I yield 3½ minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I want to acknowledge the leadership of the gentleman from Portland, Oregon (Mr. WU), not only on this important motion, but on his work throughout this session of Congress on behalf of schoolchildren and teachers in the Committee on Education and the Workforce. It has been very important not only to Oregon, but it has certainly been important to the children that I represent down in central Texas.

Mr. Speaker, as I was sitting here last night of, at all times, on Halloween evening, amidst the colossal mismanagement of this Congress that has continued throughout the last 2 years, I could not help but think that perhaps this House was haunted, haunted by the ghost of Newt Gingrich, or perhaps it is only that the extremist spirit that we faced throughout his leadership never really left the House.

The program that we debate today is patterned after the program that Newt Gingrich and his extremists fought back at the time that they were shutting the government down and inconveniencing people across this country. At that time they opposed our proposed 100,000 federally financed cops on the streets of America. I think that this COPS program has worked.

But if we were to replay the arguments of those who opposed that program, our Republican colleagues, they would sound very much like the arguments that we have just heard against the gentleman's very insightful, intelligent, and important motion. At the time of the last Republican government shutdown, they were saying, "oh, let us just give the States all the money and let them run it through their bureaucracy." They were saying, "well, maybe there will not be enough qualified people out there to work in our neighborhoods and help us deter and reduce crime"; and they fought us through two, three sessions of this Congress against the 100,000 Cops on the streets of America, until they were finally convinced by the people of America, that this was a rather good Federal initiative.

I can tell my colleagues that in Travis County, in the center of Texas, we have over 200 additional law enforcement officers in our neighborhoods, protecting our families and our businesses as a result of the COPS program. This 100,000 teacher program that the gentleman from Oregon is supporting takes exactly the same approach, and it is already beginning to work. Last session, over the objections of the Republican leadership, we got additional teachers into the classrooms specifying that that was going to be a specific purpose of our appropriations

bill for education. At the beginning of this current school year, with my school superintendent there in Austin, Texas, I went out at that happy time when new teachers and parents and kids were sharing the excitement of a new school year. There to greet those students in Travis County, Texas, were 72 new teachers employed as a result of this classroom size reduction initiative. Not one of them would have been funded had the Republicans prevailed during the last session.

What we are saying through this motion is, it works, just like our COPS program. Let us support new, well qualified teachers, so that classes will be of a size where they can maintain discipline and can work in creative ways with these young minds. There is substantial evidence that if we have smaller classroom sizes, our students can benefit. So we say through this motion, let us do something constructive to back up local efforts, not to interfere with them, give them the flexibility that they need, but back them up in their efforts to improve the quality of education.

Mr. Speaker, as we review this Republican Congress, we have to say that, with reference to this motion and so many others, that the words that come to mind are failure and flop and fiasco. Unfortunately, the report card for the performance of this Republican leadership is pretty much straight Fs. In contrast, the approach that the gentleman from Oregon (Mr. WU) has suggested is an enlightened one that can really help improve the quality of education for young people in the center of Texas, in Oregon, and across this country.

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

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

I do not know who is enlightening whom, but I would like to say a few things. This motion, while superfluous really, and I think the gentleman really knows that, and based on some of his own statements I think he realizes it is, it does give me a chance to come down and jog everyone's memory. Because of the gentleman from Pennsylvania (Mr. GOODLING), the chairman of your committee and mine, last year, when the President's plan for 100,000 teachers was the focal point of the debate on the budget, it was our chairman who convinced the President that there are not 100,000 certified in-field teachers who are not working, and that if we gave the option to certify some of those that were already teaching and were not certified by use of some of the funds, and the flexibility to do it, then we could not only reduce classroom size, but we could also enlighten students by having better qualified existing teachers.

Last week, in our hearing in the Committee on Education and the

Workforce when asked the question, are there 100,000 certified in-field teachers to be hired, Secretary Riley said, no, there are not. Because he knows that as well, and he acknowledged the need for training.

Another enlightening statement, and it has not been mentioned yet, and we all deserve credit. Let us get out of this finger-pointing. This one issue we pretty much agree on except when facts are manufactured. But the fact of the matter is that under title I of this year, 66,002 title I teachers are being hired with Federal money, and 107,000 paraprofessionals, that is notwithstanding the 100,000 teachers and class size reduction.

For someone to say that our Congress is a fiasco, that our leadership is not responding, I do not see it. In fact, the truth of the matter is, and I know the gentleman's intentions are well intended, and I know the gentleman cares, and I know in his opening statement he said Oregon has already benefited, Oregon has already benefited because last year this Chairman and your President agreed we ought to train them and hire them and they did in Oregon get more teachers. And this year, it has already been agreed to, though yet to be signed, a portion that deals with classroom size reduction is better in money, as the gentleman said, than last year's. The truth of the matter is, the unintended consequence of this resolution would be less qualified teachers in America's public schools, because it would take the flexibility to use 25 percent of the money to train noncertified teachers who are already in the classroom, and I know the gentleman does not mean that to happen, and I would never accuse him of intending for it to happen.

But, Mr. Speaker, why do we not for once agree that we have made major steps in education. We have followed a leader. We have responded to a President. And in the end, America's classrooms are less crowded in K through 3. Teachers who were not certified are being certified and/or gone and Georgia and Pennsylvania are better off for it.

Mr. WU. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, I would like to thank the gentleman from Oregon (Mr. WU), my freshman colleague. It has been a great first term for us, and I have had a great time working with him.

Mr. Speaker, to the gentleman from Georgia (Mr. ISAKSON), my good friend, the only thing I can say to the gentleman is that consider this: a less qualified teacher with a smaller class is better than a less qualified teacher with too many children. That is just basic mathematics. But the gentleman was being revealing in his statements and enlightening.

I am fortunate to have a brand-new young staff member on my staff, and she just completed a year of teaching in elementary school, and she wrote

this statement for me. Her name is Beverly Smith, and she said, a teacher told this story: imagine throwing a birthday party for your child and 25 of his or her 7-year-old classmates decided to come. You have hats, a full-service amusement center, and the parents will pick the children up in just 2 hours. Now, imagine those same kids, for 7 hours in a classroom with one teacher. Let us face it. It is difficult to learn to be an innovative and inquisitive thinker in a class of 25 or more students. In fact, with 25 students, the teacher may never even get the chance to ask every student a question.

We need smaller class sizes. This is what Beverly Smith says. Otherwise, the students shut down, the teachers burn out, and we find ourselves back at square one. We want to provide quality education for each and every student, not just the chosen ones, not just the privileged ones. We want every student to get quality attention in education every day.

□ 1500

See, that is what class size reduction is all about. It is about giving students the opportunity to practice the skills they need to succeed, not only today but also in the future.

I am thankful for Beverly Smith, and I am thankful for the dedication of her and all the other teachers who work in classrooms. Let us give them some support. Reduce the class size. Help them to get better qualified and help our Nation.

Mr. CASTLE. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I would like to just sort of review where we started all this, because sometimes I think we get a little beyond where we really have commenced and where we are going.

Basically, the request in terms of dollars to go to teachers is the same in terms of what is in the bill, what the minority is requesting, as what we have provided at \$1.7 billion. As a matter of fact, we have agreed on this side that 75 percent of that money should go to the class size issue which they are mentioning.

So basically we are arguing over the other 25 percent, and the question is, should that 100 percent go to class size or should it go to teacher training to help with quality.

Obviously, I come down on the side of more flexibility. A little bit later, when I have a little more time, I am going to talk about that.

I would like to talk about Mrs. Buckles for a moment. I had her in seventh grade. She taught us diagraming in seventh grade. I am surprised I survived all that.

I can tell the Members, the woman could teach brilliantly, as a matter of fact. I learned something about the construction of a sentence, which I remember to this day because of her ability to teach. I do not think it would have made any difference if there were five people in that classroom or 100

people in that classroom, she had the ability to get our attention, the ability to enforce discipline, the ability to process the work that was there. Everybody in that classroom learned dramatically as a result of being in there with Mrs. Buckles. A good teacher can do that.

I have also visited elementary schools in Wilmington, Delaware, and other parts of Delaware where I have seen teachers I thought needed extra assistance in terms of what they are doing, and perhaps needed another teacher to help reduce class size, or a teacher aide.

I think we need to provide those teachers the inspiration, the educational experience, the training, perhaps the quality experience, whatever it may be in order to improve their teaching.

Frankly, where we lose a lot of teachers is in their first or second year of teaching. In fact, maybe the young lady who has gone to work for the gentlewoman from Ohio is in that capacity. We lose them because they do not necessarily have the proper training. That is where the greatest percentage of teachers is lost. We need to retain them, as well.

That is why I beseech everybody here to get behind the concept of having some flexibility on these particular dollars which we are talking about. I hope we can come to an agreement at some point on it.

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

Mr. Speaker, I would like to just point out to the gentleman from Delaware that in fiscal year 1999 funding, school districts, local educational authorities, used only 8 percent of the allocations under this fund for personal development and teacher training.

We upped that amount from 15 percent to 25 percent, but the evidence from the flexibility that we have granted local education authorities is that we have lots of flexibility under this program because they are not using anything close to the 15 or the 25 percent of the monies that they can for teacher training under this program.

I must further add that the reason why we are here today, this is not an exercise in futility. This is not a dry fire exercise. The reason why we are here today is because the passage of each and every day means the loss of an opportunity to make a difference in a child's life.

Mr. Speaker, I yield 2½ minutes to the gentleman from New York (Mr. OWENS), my colleague on the Committee on Education and the Workforce.

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

Mr. OWENS. Mr. Speaker, we have a problem of a failure of vision, a failure to understand that every time the word "flexibility" is used, it is used in a way which says that there is a limited pot of money here. We want to squeeze it

in as many ways as possible. We want to give the flexibility to the people who have neglected the priority in the first place.

The State governments have neglected the priority. The local education agencies either have neglected the priority or they do not have the funds. We have only a few basic initiatives being undertaken by the Federal government.

The initiative is based on a recognition of the need. There is a need for smaller class sizes. There is clear research that has proven that smaller class sizes are very effective. The class size of the class my colleague, the gentleman from Delaware (Mr. CASTLE), went to when he was young did not have any 32 youngsters in it, I can assure the Members.

There is a clear need for a focus in this area. There is a clear need for a focus on school repair, innovation, and construction, as we were talking about before.

The American voters have made it quite clear that they understand the need. They have the common sense to see that we need more government assistance in education, and underneath that, they have pinpointed certain areas where the need is.

Instead of my Republican colleagues, the Republican majority, recognizing that we should approach the problem comprehensively, with a comprehensive plan, where we have additional money for teacher development, professional development, as well as money to reduce class sizes, they want to seize upon the fact that here is an initiative that is moving, it has the approval of the populace out there, it is popular; therefore, let us strangle it and wrestle it until we get something out of it that we can use for some other purpose: We can hand money to the Governors, or hand money to the local elected officials.

Let us have an additional amount of money for professional development. Mr. Speaker, let us have a comprehensive approach: more money for professional development, more money for certification of teachers, more money for the recruitment of teachers, more money for undergrads.

We have a major crisis underway already. We need many more teachers. We need numerous incentive programs. Across-the-board, we should recognize the need to move to take care of our brain power needs in America. Our brain power needs are overwhelming. With our nickel-and-dime approach, squeezing each program, trying to get flexibility, trying to use the same money in two or three different ways, that is not appropriate. We need a brain power approach which requires that the Committee on Education and the Workforce have the courage and vision to take a comprehensive approach.

Mr. WU. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. PELOSI), a senior member of the Committee on Appropriations.

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

Mr. Speaker, I want to join those who have commended the gentleman for his leadership on the education issue so important to our country.

I would also like to commend the gentleman from Pennsylvania (Mr. GOODLING). This may be the last debate on education, one never knows.

I listened with great interest to the gentleman's comments earlier about all of the good provisions that were in the Labor-HHS appropriations bill, and now bemoan the fact that the Republican leadership has walked away from all the good things that the gentleman says are in there.

Of course, I think it is important for us to do everything in our power to help equip our children with the tools necessary for them to reach their self-fulfillment. It is in their personal interest, as well as in the competitiveness of our great country, to have an educated work force.

That is why it is so sad to see the Republican leadership walk away from the Labor-HHS bill that was negotiated by chairmen, respective chairmen in the House and Senate, on this bill.

If it is, as the gentleman says, as the gentleman from Pennsylvania (Mr. GOODLING) and others on the majority have said, that it contains all of these great provisions, why squander all of that just to pander to the needs of the extreme in the business community that does not want to have workplace safety for so many millions of Americans who are susceptible to repetitive stress injuries?

I want to get back to the professional development that the gentleman from New York (Mr. OWENS) talked about. He has been a champion over the years on this, as well.

The research that is contained in this very bill, the funding for the National Institutes of Health and the institutes within that that study how children learn, tells us that children learn better in smaller classes. Indeed, they do better in smaller schools.

We cannot have smaller classes and smaller schools without school construction. We talked about that in the previous motion to instruct.

The motion of the gentleman from Oregon (Mr. WU) addresses the need for more teachers. If we are going to have the smaller classes that the scientists tell us help children learn better and thrive better and succeed, then it is necessary, of course, to have more teachers, better trained, and have the professional development that is necessary.

The \$1.7 billion that was in the bill is a good start. It goes a long way. Then we see the need that this very science describes that we in this body fund, that we support, and then, what, turn away from it because the business community did not like chapter and verse of an agreement reached in good faith by Republicans and Democrats in a bipartisan way on the Labor-HHS appropriations bill?

So again, I always say the same thing: The children can hear us. They hear us when we speak, especially when we speak about them. Let us not send them a mixed message that education is important, but we do not want to spend the money on it to help them reach their fulfillment. Education is fulfillment, it is important, except if the business community does not like some other comma or semicolon in the bill.

I urge my colleagues to support the gentleman's motion to instruct.

Mr. WU. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey (Mr. ANDREWS), my colleague on the Committee on Education and the Workforce.

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

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

Mr. Speaker, I rise in support of the motion of the gentleman from Oregon (Mr. WU). I congratulate and thank him for his tireless efforts in his first term on behalf of the principle of reducing class sizes. I think his motion correctly understands a problem that we do have and a tradition that we should have.

I certainly respect the judgment of local school districts. I admire those who serve on school boards and who work in the school districts. I also understand, though, that there is an unfortunate tradition of growing redundant administrative staffs in local school districts. There is an unfortunate tradition of diverting resources away from direct instruction to the education bureaucracy at the local level.

That is why I am very reluctant to change this administration's emphasis from targeted dollars for class size reduction to a more flexible discretionary block grant that I believe would not serve the purposes that I believe we all seek to serve.

The tradition that we ought to keep is a tradition of some decisions at the national level for national purposes. We should make a national decision at the national level to favor smaller class sizes, particularly in the primary grades, in order to enhance reading skills and other skills for students.

Mr. Speaker, when we passed the 100,000 police, we did not give every mayor in the country a block grant and say, "Go out and try to reduce crime." We instructed the local governments to hire more police officers, and it worked.

When we passed a water resources bill in this House, we did not go to the local elected officials and say, "Which flooding problems or drainage problems do you have? Figure out how to solve them, and here is some money." We say, "build this dam" or "dredge this river" or "solve a certain problem."

We should not substitute our judgment for those of local elected people, but we should not abdicate our right

and responsibility to make certain crucial judgments for the commonwealth of a nation.

I think the motion of the gentleman from Oregon (Mr. WU) reflects one of those judgments. I urge its adoption.

Mr. CASTLE. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GOODLING), chairman of the Committee on Education and the Workforce.

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

First of all, I want to make sure everybody understands there is no discretionary block grant. We are not talking about any discretionary block grant. There is not such in what we have negotiated.

What we have negotiated is the same as what we negotiated last year. The reason we were able to negotiate it last year is because the President understood, after experience, that I was right. When he discovered that 30 percent of the first group were not qualified and went into areas where they already had 30, 40, 50 percent unqualified teachers, he realized that was a mistake.

So all we said last year, and say this year, is that if there are some teachers who have potential, please use some of the money to make sure that they become quality teachers.

I am so glad to hear that everybody has accepted the idea of flexibility. Boy, I will tell new members on the committee, for 20 years in the minority I could not even get the gentleman's side to put the word in the American dictionary, or any dictionary, as a matter of fact.

But again, the public is probably wondering, what is it they are discussing? They are talking about 100,000 teachers. Do they not realize there are 16,000 public school districts? Do they not realize there are 1 million classrooms? That is just a spit in the ocean.

Well, it is a spit in the ocean, but it is the right spit, because it will go to rural America. It will go to center city America, where the problem is the greatest, trying to attract quality teachers.

But again, I just heard down in the well one more time how wonderful it is to have 18 in a classroom. I do not know where the 18 came from. All the research would indicate if we cannot get down to 12 or 13, we are probably not making much difference.

However, what the gentlewoman should have said was if there are 23 in the classroom and the teacher is qualified, please do not take my five youngsters in order to bring that down to 18, and put them into some classroom where the teacher is not qualified.

□ 1515

Any parent wants their child to be in a classroom where the teacher is fully qualified enthused and dedicated.

Again, let us not talk about the Republican leadership bringing this to an

end, that is not what it is all about. When we are negotiating at midnight and 1 o'clock and 2 o'clock in the morning and we do not have everybody there that we should look at language, all three sides thought that they negotiated the same thing, then they read the language and discovered, as a matter of fact, that is not what they negotiated at all.

Now we are on the business of trying to make sure that what all three sides think they agreed to is written in such a manner that that is what it says, and my colleagues would not want it to be any other way.

Again, let me remind everyone what we are doing this year is what the White House agreed to last year, to make sure that we talk about quality in every classroom; that we do not try to put somebody in a classroom that is unqualified just to reduce the class size; that, as a matter of fact, we try to find some way, some way to get qualified teachers into center-city America and rural America, a difficult job my colleagues will have to solve after I am gone.

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

Let me start, Mr. Speaker, by just pointing out what the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the Committee on Education and the Workforce has stated again, which has already been stated several times. We are not talking about a difference in money here at all. The \$1.75 billion is in the Labor, HHS Education bill. It is a controversial bill, but not about that sum of money, I think we all know that, that sum of money will survive all of this.

As a matter of fact, 75 percent of it will be used for the exact purpose that is talked about in the motion to instruct conferees offered by the gentleman from Oregon (Mr. WU), the reduction of class size and a balance to be used for teacher training.

This is not a block grant situation, but the balance will be used for teacher training. So we are talking about a minor degree of flexibility.

Here is what I would ask everybody to do, maybe there are some people listening in their offices and they have a moment to do this before they vote on this or on the Labor, HHS bill, but to call their Governors up, I do not care if they are Republicans or Democrats, and ask them about this. Ask them if they want it mandated that they have to use all this money to hire teachers or if they could have some flexibility to use some of the money for teacher training.

Mr. Speaker, I would be willing to wager a small bet, if you will, that 100 percent of those answers would be give us whatever flexibility you can in order to use that money so we can accommodate our State and our local school districts as best we can.

Mr. Speaker, at a recent committee hearing, I asked Secretary Riley, who, of course, is a former Governor, if he

would prefer to have some measure of flexibility in the use of Federal funding which, as my colleagues will recall, it accounts for about 6 percent of all Federal spending, and he was unresponsive to that. But I would point out that the one issue I know of that all of the Governors got behind in the last couple of years and that has been referred to by the gentleman from Oregon (Mr. WU), too, is the Education Flexibility Partnership Act, which I think speaks volumes about flexibility in this area, it is called Ed Flex.

We did get it passed. We all agreed to it in every way we possibly could. So my judgment is that we are talking about flexibility. We are talking about giving us the opportunity to be able to spend money properly.

Let me finally just say this, and I will quote, "we can reduce the education gap between rich and poor students by giving schools greater flexibility to spend money in ways they think most effective, like reducing class sizes in early grades." They are also those who support, and again I quote, "granting expanded decision-making powers at the school level, empowering principals, teachers and parents with increased flexibility in educating our children," and that ends the quote.

We have fought a lot about this, but it is interesting to note that those quotes that I just gave my colleagues are two principles which can be found on page 86 of then Governor Bill Clinton and Senator AL GORE's book Putting People First.

I think we can all agree that education flexibility is what is needed here. Twenty-five percent of this money is for choice of the district. They can use it all for class size reduction if they want. They even have that option as well.

Let us give them the flexibility; and I politely say that, because I respect what the gentleman from Oregon (Mr. WU) is trying to do. But I would urge all of us to turn down the motion to instruct conferees to give the flexibility to the States to improve education for all of our children.

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

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

Mr. Speaker, the facts are sometimes inconvenient. Facts can be somewhat inconvenient. We have been hearing that there is no difference between what would happen if we did not pass this motion and what would be happening under last year's appropriations and next year's appropriations. That is absolutely not true. That is absolutely not true.

Class size reduction program, a 30 percent increase, that would not happen if we go home under a continuing resolution as is currently proposed. Next, school renovation, school renovation, there will be no school renovation money if we go home under a continuing resolution as is currently proposed.

Next, 21st century community learning centers offering families a safe place and their children to learn, there is 100 percent increase in funding for 21st century community learning centers that would not occur if we go home without this next new appropriation completely done.

Eisenhower Professional Development grants, a two-thirds increase for the Eisenhower grants.

Finally, Pell Grants, a \$500 increase in Pell Grants, that would not occur, not occur if we go home under a continuing resolution, rather than getting the work of the House done.

Why have we not been getting the work of the House done? We did reach agreement on all of these education issues, but the deal was broken. I noticed this motion on Sunday, with an intent to bring it up on Monday, but we had an agreement as of Sunday night.

Because powerful special interests called into the Republican leadership, and I do not fault the gentleman from Pennsylvania (Chairman GOODLING) and I do not fault the gentleman from Delaware (Mr. CASTLE) for this, but because telephone calls were made, that deal to increase education funding, to increase Pell Grants, to increase 21st center learning centers, to increase teachers, to reduce class size, that deal was broken.

In my congressional district, I commissioned a study on class size, only 6.4 percent of students in my congressional district are in class sizes of 18 or fewer. The other students, the other 94 percent of Oregon's students in the 1st Congressional District are equally split between class sizes of 19 to 24 students, or 25 or more.

More devastatingly, in Clackamas County, almost 50 percent of students in kindergarten through third grade are in class sizes of 25 or more.

In Multnomah County, Portland, the percentage of students in grades K through 3 in classes of 25 or more is also at almost 50 percent. In Washington County, it is more than one-third of the students. In Yamhill County, it is almost one-third of the students.

This is a program which makes a difference. I saw it. I visit schools all the time, as my colleagues do. At Reedville Elementary School in Aloha, it worked exactly as intended by adding only one additional first grade teacher, it brought the average class size down from 27 students to 18 students.

Mr. Speaker, with all due respect, the studies do show that when we bring class size down from 27 to 18, it makes a measurable difference which lasts over the years. The SAGE study from Wisconsin demonstrates that, the STAR study from Tennessee demonstrates that, and even the program in California, which has been very difficult to measure, indicates that in the third grade, there are measurable differences.

But the fact is this: This class size initiative makes a difference. I have

seen it make a difference. I have seen it cut class size from 27 to 18, but it is not being done today, because powerful interests called the leaders of this Chamber.

I want the students of America to have the same access to leadership as these powerful interests.

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

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Without objection, the previous question is ordered on the motion.

There was no objection.

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

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

Mr. WU. 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 168, nays 170, not voting 94, as follows:

[Roll No. 591]

YEAS—168

Abercrombie
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Brady (PA)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Costello
Coyne
Cramer
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dixon
Doggett
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frost
Gephardt
Gonzalez

Gordon
Hall (OH)
Hall (TX)
Hill (IN)
Hilliard
Hincheley
Hoeffel
Holden
Holt
Hooley
Horn
Hoyer
Inslie
Jackson (IL)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kind (WI)
Klecicka
Kucinich
Lampson
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowe
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meek (FL)
Menendez
Millender-
McDonald
Miller, George
Minge

Velazquez
Visclosky
Watt (NC)

Aderholt
Armey
Bachus
Baker
Ballenger
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Biggett
Bilirakis
Blunt
Boehner
Bonilla
Bono
Bryant
Burr
Burton
Buyer
Callahan
Camp
Canady
Castle
Chabot
Chenoweth-Hage
Coble
Coburn
Combest
Condit
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Ehlers
Ehrlich
Everett
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman

Weiner
Woolsey
Wu

NAYS—170

Goode
Goodlatte
Goodling
Goss
Granger
Green (WI)
Gutknecht
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Isakson
Istook
Johnson (CT)
Johnson, Sam
Jones (NC)
Kelly
Kingston
Kolbe
Kuykendall
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
Martinez
McCreery
McInnis
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Northup
Norwood
Nussle
Oxley
Packard
Paul
Pease
Petri
Pickering
Pitts

NOT VOTING—94

Ackerman
Archer
Barr
Bilbray
Bishop
Bliley
Boehlert
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Calvert
Campbell
Cannon
Chambliss
Collins
Conyers
Danner
Davis (FL)
Deal
Dickey
Dicks
Dingell
Dooley
Dunn
Emerson
English
Ewing
Forbes
Fowler
Frank (MA)

Franks (NJ)
Gejdenson
Graham
Green (TX)
Greenwood
Gutierrez
Hansen
Hastings (FL)
Hayes
Hill (MT)
Hinojosa
Hyde
Jackson-Lee (TX)
Jenkins
Kasich
Kilpatrick
King (NY)
Klink
Knollenberg
LaFalce
Lantos
Largent
Larson
Lazio
McCollum
McIntosh
McKeon
Meehan
Meeks (NY)
Mollohan
Murtha

Neal
Ney
Ose
Peterson (PA)
Phelps
Pickett
Pomeroy
Rohrabacher
Ros-Lehtinen
Rothman
Salmon
Scarborough
Schaffer
Scott
Shaw
Shays
Sisisky
Spratt
Stark
Stupak
Talent
Tancred
Turner
Wamp
Waters
Watts (OK)
Waxman
Weldon (FL)
Wexler
Weygand
Wise

Wynn

Pombo
Porter
Portman
Pryce (OH)
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanford
Saxton
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stump
Sununu
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Trafigant
Upton
Vitter
Walden
Walsh
Watkins
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

□ 1547

Messrs. SHIMKUS, RILEY, EHLERS, and TAYLOR of Mississippi changed their vote from "yea" to "nay."

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.

□

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H.J. Res. 122. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

□

LEGISLATIVE PROGRAM

Mr. BONIOR. Mr. Speaker, I would like to inquire of the majority the schedule for today and the remainder of the week.

Mr. Speaker, I inquire of the majority, whomever may want to respond, about the schedule. Members are confused with respect to when we will finish today, if we will finish today, if we will meet on Friday and Thursday, or on the weekend.

We would like to know on our side of the aisle, and I imagine Members on their side of the aisle would like to know, as well. If there is someone over there who could apprise us where we are in terms of the schedule, we would appreciate it.

Mr. Speaker, I yield to the gentleman from California (Mr. THOMAS) if he could help us with the schedule for today and the remainder of the week.

Mr. THOMAS. Mr. Speaker, my understanding is that we are here tonight, that we have a functional CR for tomorrow and that that will be good until Thursday. So clearly, we will be here tonight, we will work all day Thursday, and we may very well be here on Friday.

My understanding is that the House will convene at 6 p.m. tomorrow, and we will continue to work.

Mr. BONIOR. Mr. Speaker, can the gentleman tell me whether he anticipates the Committee on Appropriations meeting on the Labor, HHS bill and if there will be any other conferences meeting?

Mr. THOMAS. Mr. Speaker, I will tell the gentleman that the answer to that question probably lies more on his side of the aisle than ours.

Mr. BONIOR. Mr. Speaker, our people are ready. They are right here.

Mr. THOMAS. Mr. Speaker, we are ready.

Mr. BONIOR. Mr. Speaker, will the gentleman tell us the room number and we will be there. In fact, we will even bring the coffee, the pizza, the pop, whatever they want.

Mr. THOMAS. Mr. Speaker, I will tell the gentleman, as we move forward tonight, I will try to get that room number for him and we will continue to work the rest of the evening. We will be here tomorrow convening at 6 p.m., and we will work through Thursday evening and possibly into Friday morning.

Mr. BONIOR. Mr. Speaker, I thank my colleague for his comments. May I ask him one other question.

The gentleman said possibly into Thursday or Friday or Saturday. That is not clear yet, I anticipate, whether we are going to work the weekend. Is that correct?

Mr. THOMAS. Mr. Speaker, I say to the gentleman, all things are possible if we only believe. That will be determined, I assume, as we continue our work schedule. As the gentleman knows, we have been functioning with 1-day CR's, and it has been difficult to predict beyond the 1 day.

I have provided information which I believe the leadership would back up all the way through tomorrow to midnight or perhaps slightly beyond. That is stretching the 1-day CR to more than 1 day. And then we will make decisions after that.

One day at a time I believe was the request that the President had made, and we have been following that.

Mr. BONIOR. Mr. Speaker, I yield to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I wonder if the gentleman from California (Mr. THOMAS) could answer this question: Could he tell us what legislation is expected to be on the floor yet today and what legislation is expected to be on the floor tomorrow?

Mr. THOMAS. Mr. Speaker, I will tell the gentleman that I do appreciate the attention I am receiving and that I could run off a list of legislation for him if that would make him feel more comfortable; but, frankly, it would not be worth squat right now.

We believe that WRDA will be up. That is something that was sent over to us by the Senate. And we believe, if we could move forward on that piece of legislation as we have done on a daily basis that that would be a continuing and significant step forward.

Mr. OBEY. Mr. Speaker, if the gentleman from Michigan (Mr. BONIOR) will continue to yield, does the gentleman expect WRDA to be up today or tomorrow after 6.

Mr. THOMAS. Mr. Speaker, our belief is it will be up at the latest tomorrow after 6.

Mr. OBEY. Mr. Speaker, since my understanding is that the House is not going into session until 6 o'clock tomorrow, how can it be up before 6 o'clock?

Mr. THOMAS. Mr. Speaker, I said at the latest 6 o'clock. That means 6 o'clock may very well be the time at which it comes up or later.

Mr. OBEY. Mr. Speaker, does the gentleman mean the earliest?

Mr. THOMAS. Mr. Speaker, if the gentleman prefers "earliest," I will say "earliest."

Mr. OBEY. Mr. Speaker, no, that is what I thought the dictionary said.

If I could say to the gentleman from Michigan (Mr. BONIOR), it is obvious to me that there is no game plan which the majority wishes to disclose to the minority at this time.

Good luck and Godspeed. May they find one before the day is over.

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

Mr. BONIOR. I yield to the gentleman from New York.

Mr. RANGEL. Mr. Speaker, I would ask the gentleman from California (Mr. THOMAS) that, if we do not reach any agreement, will some method be arranged so that we will have the opportunity to go home to vote on Tuesday?

Mr. THOMAS. Mr. Speaker, I will tell the gentleman, that functions under a 24-hour continuing resolution and the answer to the question of the gentleman will probably work its way to the surface sometime over the next 24 hours.

Mr. RANGEL. Mr. Speaker, but it is his present thinking and that of, for lack of a better word, the leadership that we could be working here until the election?

Mr. THOMAS. Mr. Speaker, well, I understand we are here on the 24-hour continuing resolution at the request of the President; and if there is any other suggested work schedule, maybe he can telephone us from California or send us an e-mail from California to let us know we could be doing something else.

Mr. RANGEL. Mr. Speaker, the President is trying desperately hard not to close down the Government and this is why he is signing these resolutions.

Mr. THOMAS. Mr. Speaker, I will tell the gentleman, if he is searching for the Government in Kentucky and in California, he could find quite a bit of it right here in Washington, D.C.

Mr. RANGEL. Mr. Speaker, well, since he is the President of all of these United States and the leader of the free world, I think that we should give him some flexibility.

But I want to thank the gentleman for his concise answers.

Mr. THOMAS. Mr. Speaker, I will tell the gentleman that the problem with the flexibility is that the taxpayers are funding the need to pass the CR and take it to wherever he happens to be. It would certainly be a more convenient procedure if he were at 1600 Pennsylvania Avenue so we could operate on a daily basis.

Mr. RANGEL. Mr. Speaker, I cannot begin to tell my colleague how thankful we are for how helpful he has been to us this evening.

Mr. THOMAS. Mr. Speaker, we are here to serve.