

of our family on Wednesday, October 8, 2003, a day for which I requested and was granted leave of absence, I missed five recorded votes.

I would like the RECORD to reflect that had I been here for these votes, on rollcall 535, final passage of H.R. 3108, Pension Funding Equity Act of 2003, I would have voted "yea."

On rollcall 536, H.R. 2297, Veteran Benefits Act of 2003, I would have voted "yea."

On rollcall 537, H.R. 2998, to amend title 10, U.S. Code, to exempt certain members of the Armed Forces from the requirement to pay subsistence charges while hospitalized, I strongly support this bill and have been complaining to the Secretary of Defense regarding unconscionable charging of \$1 per minute for men and women on duty in Iraq who want to call home, and would have voted "yea."

On rollcall 538, H. Res. 355, commemorating the 100th anniversary of diplomatic relations between the United States and Bulgaria, I would have voted "yea."

On rollcall 539, expressing the condolences of the House of Representatives in response to the murder of Swedish Foreign Minister Anna Lindh, I would have voted "yea."

**ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 6, ENERGY POLICY ACT OF 2003**

Mr. FILNER. Mr. Speaker, pursuant to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 6, the Energy Policy Act.

The form of the motion is as follows:

I move that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 6 be instructed to reject section 12403 of the House bill, relating to the definition of oil and gas exploration and production in the Federal Water Pollution Control Act.

**ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003**

Mrs. CAPPS. Mr. Speaker, under rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1, the Medicare Prescription Drug and Modernization Act.

The form of the motion is as follows:

Mrs. CAPPS of California moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1 be instructed as follows:

One, to reject the provision of subtitle C of title II of the House bill.

Two, to reject the provisions of section 231 of the Senate amendment.

Three, within the scope of the conference, to increase payments for physician services by an amount equal to the amount of savings attributable to the rejection of aforementioned provisions.

Four, to insist upon section 601 of the House bill.

**ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 2660, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004**

Ms. DELAURO. Mr. Speaker, pursuant to clause 7(c) of House rule XXII, I hereby notify the House of my intention tomorrow to offer the following motion to instruct House conferees on H.R. 2660, the fiscal year 2004 Labor, Health and Human Services, Education and Related Agencies Appropriations Act.

I move 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. 2660 be instructed to insist on the Senate level for part B of the Individuals with Disabilities Education Act.

**MOTION TO INSTRUCT CONFEREES ON H.R. 2660, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004**

Mr. OBEY. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. 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. 2660, be instructed to insist on the highest funding levels possible for programs authorized by the No Child Left Behind Act.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Ohio (Mr. REGULA) each will control 30 minutes.

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

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. PELOSI), the distinguished minority leader.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me the time. I thank him for presenting this motion to instruct, and I thank him for his extraordinary leadership on behalf of America's children. His lifelong service in the Congress and commitment to America's children is an example to all of us. He knows the education issue chapter and verse, and he gives us a very important motion to vote on this evening.

Mr. Chairman, agreeing to the highest level in a conference, as the gentleman from Wisconsin's (Mr. OBEY) motion to instruct calls for, is the very least that we can do for the children of America. As my colleagues know, earlier, not in this Congress but a Congress before, we authorized the No Child Left Behind legislation. It was

groundbreaking. It called for standards in the schools, and it was controversial. It received bipartisan support. It was the President's initiative, and it received bipartisan support in the House, in the Congress.

It was never imagined, I do not think, that when we would go forward with these mandates on public schools in our country that we would give them the mandates and withhold the money. That this bill falls \$8 billion short on funding for Leave No Child Behind is appalling, and it is impossible for the schools to meet the mandate.

President Bush and the Republicans have made a great show in supporting education, and they have promised with great fanfare Leave No Child Behind, but when they cut billions of dollars from the bill, they are leaving millions of children behind. When it comes time to keep the promises, President Bush and the Republicans in Congress take a recess from responsibility and again leave millions of children behind.

No matter what else students have learned in school this year, students and their parents across the country have learned a valuable lesson about the Republicans. They do not keep their promises on education. The appropriation bill the Republicans passed this summer falls a staggering \$8 billion below the funding level promised in the Leave No Child Behind bill. It only funds a small portion of what was promised for Title I, the program that helps at-risk students master the basics.

It falls more than \$1 billion short of the special education funding promised in the recently passed Individuals With Disabilities Education Act reauthorization bill, a 55 percent gap between what the Republicans promised and what they delivered.

The vote on this appropriations bill clearly defined the differences between the parties. Not one single Democrat voted to support this affront to America's education needs and with good reason. I will just take my own State of California for example. It underfunds our needs in California by \$1.3 billion for our children. In Georgia, it underfunds by \$280 million. When my Republican colleagues voted for this bill, if they were from Georgia, they voted to shortchange the children of Georgia by \$280 million; in Arizona, \$168 million. The list goes on and on.

By voting for this bill, Republicans showed that all of their rhetoric supporting education is just that, empty rhetoric. It is yet another example of the credibility gap between the rhetoric around here and the harsh realities of the budget priorities the Republicans have. It is more important for them to give tax breaks to corporations, moving manufacturing jobs offshore. It is more important for them to give tax breaks that are even described by the CATO Institute in a negative way to the energy sector.

□ 1800

Everything seems to be more important to the Republicans than the education of America's children.

Today, Members have the opportunity, thanks to the gentleman from Wisconsin (Mr. OBEY), to close the gap between the rhetoric of that education and funding for education. His motion calls for keeping our promises. This is not to restore the full funding. We do not have that opportunity. Republicans will not give us that chance. But at least it tells us to go to the highest funding between the two Houses. As I said, it is the least we can do for America's children.

With that, Mr. Speaker, I once again commend the gentleman from Wisconsin for his great leadership on behalf of educating America's children.

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

I find it fascinating, Mr. Speaker, that my colleagues on the other side of the aisle today seek to instruct conferees to adopt certain higher funding levels for education when less than 3 months ago they stood on this very floor and voted against providing the funding for many of these same programs.

The Labor, Health and Human Services and Education appropriation bill that this body approved in July was a fair and balanced bill. In the area of Federal education spending, we provided increases in education totaling \$2.2 billion, or 4.5 percent. Further, within these increases are the highest levels of spending for both title I programs and special education, IDEA programs, today. Finally, let me remind my colleagues that not only did the bill include increases in both those highly visible education programs, but it also included increases in other numerous important education programs as well.

Mr. Speaker, I just want to run through the list of education programs that were increased in funding in this bill over last year: title I grants to school districts, Even Start, Reading First, Early Reading First, literacy through school libraries, migrant education programs, programs for neglected and delinquent youth, comprehensive school reform, Impact Aid payments for children of military families, mathematics and science partnerships, after-school centers, State assessments, education for homeless children, education programs for rural school districts, teacher enhancement programs, charter school grants, credit enhancement for charter schools, mentoring programs, physical education programs, special education programs, preschool programs for disabled children, grants for special needs infants and their families, vocational rehabilitation grants for adults with disabilities, independent-living grants for adults with disabilities, services for older blind individuals, National Institute on Disability and Rehabilitation Research, American Printing House for

the Blind, National Technical Institute for the Deaf, Gallaudet University for the Deaf, vocational education State grants, adult education State grants, smaller high schools, Pell grants, Hispanic Serving Institutions, Historically Black Colleges and Universities, TRIO programs for first-generation college students, GEAR UP programs to encourage minority students to attend college, Teacher Quality Enhancement Grants, Howard University, education research, education statistics, national assessment of educational progress, and national assessment governing board.

Every one of those education programs had an increase in our bill over last year.

Mr. Speaker, this body passed a responsible Labor, Health and Human Services and Education appropriation bill in July. The bill was within the subcommittee's allocation and the budget resolution. Let us work to finish our conference with the other body so that we can complete the people's work for the year and fund these important programs that give hope to the children of the families of our Nation.

I would like to point out that a previous speaker mentioned the fact that the President has not supported the programs in the No Child Left Behind bill. Since No Child Left Behind was signed into law, Federal spending for major elementary and secondary education, including funding for children with disabilities, has increased by approximately 34 percent, from \$24.5 billion in fiscal year 2001 to \$32.8 billion in fiscal year 2003. So I think that this clearly says that the President and the majority party have supported responsible increases to fund the No Child Left Behind programs.

Mr. Speaker, I urge adoption of this motion to instruct because we want to provide the most money possible for education, too. And I agree with the gentleman from Wisconsin that we should do as much as possible, and the gentlewoman from California, the minority leader; but we have to live within the budget constraints. We do not do the budget in our committee; we live with the money that has been provided by the Committee on the Budget. And I think we did a very responsible job given the constraints of the amount that was budgeted for Labor, HHS and Education by a vote of this House when they approved the budget.

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

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

Mr. Speaker, the previous speaker, my friend, the gentleman from Ohio (Mr. REGULA), has talked about all of the vaunted increases in the Labor, HHS appropriation bill. But the fact is that if we take into account inflation, and if we take into account increases in student population, what we are talking about for most programs in real terms is a freeze, and in per capita student terms what we are talking

about in many of these programs is, in fact, a per-child cut. And that comes at the same time that States are experiencing excruciating budget problems, which ought to require the Federal Government to provide more help, not less, and yet that is not what we are getting.

Now, the gentleman can talk all he wants about the increases we have had over the past few years in education funding. The fact is that over the last 9 years, \$20 billion in additional funding was put into education above and beyond the amount that would have been provided by Republican bills in this House because of the negotiating insistence of Members on this side of the aisle, and in some of those years the Clinton administration.

Now we have a different picture. This fall, some 22,000 students in 44 States and the District of Columbia have been notified that they failed to meet their academic targets set by States under the No Child Left Behind Act, that is, they have failed to make adequate yearly progress under the terms of that act. That is nearly one in four public schools across the country that will need additional teachers, tutors, books and curricula, and up-to-date technology to improve their academic performance and to meet the No Child Left Behind mandates. They include 576 schools in Illinois, 1,000 in Texas, 1,033 in Missouri, 2,770 schools in Florida, and 829 schools in Ohio, according to their State education departments. And some of these States are in the midst of a huge financial crisis.

This motion to instruct is, at best, a modest effort to prevent some of these 22,000 schools from being left behind. It is a modest instruction because the procedural constraints facing us limit us in what we can ask. We instruct the House conferees to go to the highest possible funding levels for No Child Left Behind programs that would roughly double the modest increase in the House bill if each program were funded at the higher of the House or Senate level. We should be doing much more.

Mr. Speaker, when the President came to office, he said that education would be a top priority, but that there would be no new money until we reformed the programs. So we took a flyer. We took the President at his word. We gave him the benefit of the doubt, and a lot of us voted for No Child Left Behind. That act imposed all kinds of accountability measures and mandates. Now, 2 years after the enactment of that legislation, we have the smallest new Federal investment in education in almost a decade under both the House and the Senate bills. The Labor, HHS bill adopted by the majority barely provides an inflation increase for No Child Left Behind, a freeze in real terms. It falls a whopping \$8 billion short of the funding schedule that was promised in No Child Left Behind.

Because the majority has chosen to put so much of its money in super-sized

tax cuts, there is very little money left to fulfill the majority's own promises made in their own budget resolution. Let us inventory those promises:

It was the Republican budget resolution that promised to provide \$3 billion more for education compared to last year; yet the Republican Labor, HHS bill falls \$700 million short of their own promise. It was the Republican budget resolution that promised to provide a \$1 billion increase for title I grants to low-income schools; yet the Republican bill falls \$334 million short of their own promises. And it is the majority Labor, HHS bill that falls short in other areas as well.

The No Child Left Behind Act mandates that every school in America have a highly qualified teacher in the subjects of english, reading, math, science, foreign language, civics, government, economics, art, history, and geography. Yet the Republican Labor, HHS freezes funding for teacher training at \$2.9 billion, \$244 million short of the \$3.2 billion promised 2 years ago. There is no more money for teacher quality at a time when the Department of Education says that 46 percent of the Nation's secondary schoolteachers do not meet the No Child Left Behind highly qualified criteria.

More than one million disadvantaged children could be helped if the after-school program was fully funded at the No Child Left Behind level of \$1.75 billion; yet the Republican Labor, HHS bill freezes funding for after-school centers when communities across the country are struggling to provide safe places where kids can learn and play between the hours of 3 and 6 p.m. One million at-risk children will be left behind.

Recently, I received a letter from a dedicated school principal at the Colwyn Elementary School in Pennsylvania who wrote this: "I am left wondering how is it that schools can be labeled as failures when so many of our children enter schools already left behind. And if schools are to fix all the societal ills that haunt our students, why is the funding not there for our schools, especially the urban schools, where our most needy students are?"

Mr. Speaker, unfortunately, we are at a place where we will not be able to answer that dedicated school principal's call for more funding because of the policies of the majority party. These policies say that we can afford super-sized tax cuts for the wealthiest Americans, but cannot afford \$3 billion more to educate America's children. Faced with the choice between tax breaks for millionaires and making sure that all children have an opportunity for a quality education, the majority has made it clear where it stands. As a result, millions of children will be left behind.

Now, I know the gentleman from Ohio does not like the fact that we do not buy into his bill. We have never criticized the gentleman or the committee for the priority choices they

have made. What we have said is that the limitations imposed on the gentleman are unacceptable to us, and we have a right, and indeed an obligation, to follow our consciences to try to get more money in this bill, just as we did every year for the last 9 years.

If we had rolled over the last 9 years to the argument that, oh, this is all the budget allocation will allow us, we would not have that \$19 billion that the gentleman so anxiously voted for after we leveraged it into the bills over the objection of the gentleman's own party leadership in this House.

So I think the gentleman needs to recognize that, and the House needs not only to pass this motion, which does not begin to cover the need; the House needs to provide substantially more resources for this bill if we are to meet the needs and to meet the promise that so many of us signed on to when we voted for No Child Left Behind just a few months ago.

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

□ 1815

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

Mr. Speaker, I would point out that the gentleman's party had control of the Presidency, the House, and the Senate in fiscal years 1994 and 1995. During this time, Congressional Democrats voted to cut the Department of Education by over \$3 billion below levels recommended by their President, President Clinton. The final 1994 increase was only 3.6 percent; the final increase in 1995 was only 2.4 percent. And remember, they controlled everything; and we propose in this bill to increase it by 4.5 percent.

Mr. Speaker, I yield 6 minutes to the gentleman from Ohio (Mr. BOEHNER), the chairman of the Committee on Education and the Workforce.

Mr. BOEHNER. Mr. Speaker, let me thank the gentleman for yielding me this time.

Before we vote on this rather meaningless motion which I will probably support, I think it is important that we try to frame it in a proper context. I think what we have tonight is a vote that is politics, pure and simple. Virtually every Member supports providing the highest possible funding for the key programs in No Child Left Behind, and I fully expect whatever agreement we are able to reach with our colleagues on the other side of the Capitol will meet this goal. We will, once again, provide another major increase in funding for Federal education programs, the third major increase since No Child Left Behind was enacted into law.

We have heard all year about this so-called under funding of education programs. I would point out that we have a dual process in this Chamber of authorizing and appropriating. The authorized level is the cap, the maximum amount that can be spent. At no time during my experience, the 13 years that

I have been here, have we ever fully funded, as Members would describe it, these education programs.

As a matter of fact, in fiscal year 1995, the last year that Democrats ran the Congress and had the White House, the authorization for title I was \$13 billion, and yet the actual funding for that program came in at \$10.3 billion. I do not recall any Member of the House, Republican or Democrat, or the Senate, claiming we were underfunding our education commitment.

Now, when it comes to the issue of whether we have kept our promise under No Child Left Behind, let us recall what the promise was. The promise was to have a significant increase in spending to help support the goals of No Child Left Behind. So what did we do? Fiscal year 2001, \$24.5 billion. What happened when we passed No Child Left Behind, an increase of \$5.4 billion to \$29.9 billion. That is a real increase.

Then we went to \$32.8 billion, and this year we are at \$34.6 billion. Now, these are the numbers. They are real. No one can say we have not kept our promise because we have had a significant increase in Federal education spending.

Let us look at the largest of these programs where a lot of the money is, and that would be in title I, the money that goes to poor students and poor schools across the country. These bars here in yellow are the years when the Clinton administration was in office, and the red years are the Bush years. What do we see, significant increases since No Child Left Behind was put in place.

As a matter of fact, to put it in even better perspective, during the 8 years that President Clinton was President, half of the time Democrats controlled one or both Chambers, the increase during those 8 years under President Clinton, \$2.4 billion in title I funding over 8 years. That was the increase. What has been the increase over the first 3 years of the Bush administration, \$2.9 billion.

Now, to say we have not dramatically increased our commitment to education is just not true. But as I said before, all of us in this Chamber support trying to fund these programs at the maximum allowable level to get as much money as we can out there to help poor children have a chance at a good education.

But as the gentleman from California (Mr. GEORGE MILLER), the ranking member of the Committee on Education and the Workforce and others sitting here would attest to, if money were to have solved all of the problems in K-12 education, we would have solved them long ago. Some of the biggest spending levels in our country are in urban centers which happen to have the worst schools.

One only needs to look in Washington, D.C., the third highest level of spending in any urban district in America, and without a doubt, the worst schools in America. Money will

not solve the education woes in our country. It is attitudes. It is attitudes and a commitment and a discussion about whether we, as a Nation, are willing to educate all of our children.

We have had this discussion for a long time, and we all talk about public education and how important it is, but our Nation has never attempted to educate all of our people. We have never had a real commitment to educate all of our children. We have embarked on an effort to try to get to that goal. It is not going to be easy, and I am not sure we even know what the answers are in terms of how we educate all of our children. But I think we are going to learn those answers.

Again, I am not sure that money is going to solve those problems. We need to have real changes of attitudes in our schools, in our communities, about really helping poor children have the same chance in life that all of us have had. They deserve that chance, just like our children deserve that chance, to get a good education. It is not happening today. I do think with the passage of No Child Left Behind, one of the most bipartisan bills of this session of Congress, we can begin to move toward that goal. We are meeting our commitment on the Federal end, and I know the States are having problems meeting their commitments to their local schools. We wish they would do more; but please, do not come here and say we are not meeting our commitment to helping every child get a chance at a good education.

Mr. OBEY. Mr. Speaker, I yield 5 minutes to the gentlewoman from New York (Mrs. LOWEY), a member of the Committee on Appropriations.

Mrs. LOWEY. Mr. Speaker, we are on the cusp of implementing a bill that will fall at least \$8 billion below the levels authorized in the No Child Left Behind Act. Our failure to uphold the promises made just 2 years ago will be felt in classrooms throughout America by every school-aged kid. I agree that we have to deal with attitudes. There are a lot of problems, and all of the problems of a community converge on our school systems.

But, Mr. Speaker, I visit our schools which have to face the mandates included in No Child Left Behind. They are facing massive teacher shortages, and that has to be resolved by money and training. We have to ensure that every teacher of an academic subject be highly-qualified by 2006 and administering annual assessments in reading and math by 2006. America's schools should not have to choose between the need to recruit and train new teachers, implement antidrug programs, and pay for urgent school renovations. I would like my colleagues to visit some of these schools that are trying to educate these kids without enough books, without enough dollars, without enough teachers with adequate training.

If we do not retool our efforts during the Labor-HHS conference, we will im-

pose a great burden on our school administrators, board members and parents. For example, the NCLB Act promised to provide school districts with 40 percent of the Nation's average per pupil expenditure for each low-income student. The title I program already does not meet the overwhelming needs across the country, but NCLB was a step in the right direction. Many of us voted for it. There was broad bipartisan support.

However, in this Labor-HHS bill it is \$6 billion below the authorized amount. What does that mean for needy children? In New York State alone, almost 460,000 eligible children would not be fully served by the program. This morning, the Afterschool Alliance released a poll demonstrating the public's broad, unwavering support for after-school programs. And, quite frankly, the numbers leapt off the page. They made clear that Americans, not just parents of school-age children, but all Americans, across the board, believe that after-school programs are a sound investment. Eighty percent said after-school is nothing short of an absolute necessity. That is not just support, that is extraordinary support.

After-school programs keep kids safe, help them learn, help working families. No Child Left Behind set out a prudent road map for growing the 21st Century Community Learning Centers Initiative, but since the moment the law was enacted, we have gotten off course. Not only did the administration's fiscal year 2004 budget propose a cut of \$400 million, or 40 percent to the 21st Century After-School Program, but both the House and the Senate Labor-HHS bills fall 40 percent short on funding for the 21st Century Initiative, providing just \$1 billion of the authorized \$1.75 billion for the current fiscal year. That funding gap translates into more than 1 million children being left behind after school.

I want to say in closing, sometimes we look at these numbers, it sounds great, a billion here, a billion there, but when we are cutting a million dollars or a billion dollars from a key program such as that, that is reflected in real children and real lives. I urge Members to try and get these dollars up so we can be educating all of our children. These programs are critical. I thank the chairman for all of the good work he has done, and I hope we can work together to truly get these numbers up so we can satisfy the tremendous needs out there.

Mr. REGULA. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi (Mr. WICKER), a distinguished member of the subcommittee.

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

The chairman of the full authorizing committee just made a statement that I think is very instructive. He called this motion rather meaningless. If our colleagues do not know by now, they should certainly be apprised that all of

these motions to instruct that are being brought during the waning days of this session of Congress are non-binding. They offer us an opportunity to have an hour of debate on a particular issue, and that is instructive; but even if this motion were completely binding, I do not know how we could enforce it, because it simply says that the conferees be instructed to insist on the highest funding levels possible for programs authorized by No Child Left Behind.

Now, if that means the sky is the limit, then I might have to disagree with my chairman and the chairman of the authorizing committee. We may not want to do that because I do think we should exercise some discretion in the amount of funding. But if it means we are going to do the very best we can, within the confines of the budget resolution, as our chairman has done, then I do support that concept. So I am a little torn, Mr. Speaker. On principle, should I just vote no because it is a meaningless exercise, or should I go along with my chairman and the chairman of the authorizing committee?

This, I think, is an opportunity for my friends on the other side of the aisle to try to point out to anyone who is watching that they would spend more money on education if they were in charge and that they would spend a lot more money if they possibly could. They will make that case, but I am not so sure about that contention.

The fact of the matter is when the Democrats had control of the Presidency, the House and the Senate, fiscal years 1994 and 1995, they did not fully fund their education bill. As a matter of fact, President Clinton proposed a figure for the Department of Education, and the Democrats and the Congress cut that figure by some \$3 billion below the level recommended by their own President, failing to "fully fund" the request of their President.

□ 1830

During the time of Democratic control of Congress, Mr. Speaker, they funded only 20 percent of the IDEA program for fiscal year 1994.

By contrast, in the last 8 years of Republican control in the House of Representatives, Federal funds for education have more than doubled. So I think we can be proud of our record on education, Mr. Speaker, as compared to the prior 6 years under Democrat leadership where they funded Federal education programs by an increase of only 47 percent. Republicans doubled education funding. The Democrats increased funding by only 47 percent. So when it comes to numbers, we really do not have anything to be ashamed of on this side of the aisle.

I would point out to my colleagues that during these past years of Republican control, this House of Representatives and this Congress has increased title I aid to disadvantaged students by 84 percent; increased special education grants to States—that IDEA program

that I mentioned—by some 330 percent for IDEA programs; and tripled funding for reading programs during Republican rule, Mr. Speaker. We have increased Federal teacher quality funds. We have increased the maximum Pell grant by some 64 percent. We have increased Head Start funding by 91 percent under Republican control. And we have increased Federal aid to America's Historically Black Colleges and Universities.

I am proud of what we have done. Of course, raw numbers are not the only answer. The problem with much of American education is the accountability and results, and that is what we think No Child Left Behind is changing. I want to commend Chairman REGULA for working across the aisle for a balanced bill that funds many competing programs. He has produced a good result. I believe the conference will do so, too. I just want to congratulate my chairman for funding education as best as we possibly can.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Rhode Island (Mr. KENNEDY), a member of the subcommittee.

Mr. KENNEDY of Rhode Island. Mr. Speaker, I want to thank my colleague, the gentleman from Wisconsin (Mr. OBEY), for his long leadership on the issue of education and his offering his motion to us today on the floor.

In response to my colleague from Mississippi who said all we need to do is look at the numbers, I think that would be interesting. I think if this Republican administration ran on us just looking at the numbers, they would be thrown out of office quicker than we can look at the door. We have gone from nearly a \$5 trillion surplus to a \$5 trillion deficit. The very children they claim to support are children that are going to be saddled with nearly a \$600 billion deficit, deficit, this year because this President has chosen to cut the taxes of the wealthiest 1 percent of our population.

Two-thirds of the tax cut goes to the wealthiest 1 percent in the form of capital gains dividends and estate taxes. Who is going to pay for these taxes? It is going to be the children of today's generation and our children's children that are going to be saddled with this debt. So I do not want to hear from Members of the other side of the aisle about how Democrats underfunded education. At least we left the children of this country a \$5 trillion surplus on which to build a future.

When it comes to Leave No Child Behind, the fact is the numbers do tell the truth. The numbers tell us that when it comes to the President's commitment to making sure we leave no child behind, the commitment is nothing but words. Mr. President, we want action, not rhetoric. We want you to put your money where your mouth is. You have not done it. By refusing to provide the promised funding, the Leave No Child Behind Act has become an albatross around the necks of school

committees around our country. The people who are watching this who can listen to the gentleman from Mississippi say that all of this is worthless debate, I will just tell you this. Go talk to your local school committee. Go talk to your local city council person and have them tell you how much property taxes are going up in order to make up the difference in the requirements that the Leave No Child Behind Act have put forward. Requirements for new systems of assessment for children, not funded in the bill. Requirements for new enrollment status and graduation records so that we can track these students and thereby be able to measure their progress, no funding under the bill. Funding for massive databases and new standards, inadequate funding under the bill.

The fact is if you look at the bill itself and you look at what this Congress is doing, it is sending the bill for this Leave No Child Behind Act to our property taxes. Make no mistake about it, it is cutting Bill Gates's taxes, but it is sending the taxes back to our local property taxes in order to fund the deficit in this Leave No Child Behind Act.

Mr. REGULA. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. CUNNINGHAM), a very valued member of our subcommittee.

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

Mr. CUNNINGHAM. Mr. Speaker, the gentleman who just spoke said that they left this House with \$5 trillion. Well, in 1993 the rhetoric that they said, let us give tax breaks to the middle class, they raised the tax on the middle class. You increased the Social Security tax. You cut veterans COLAs. You cut military COLAs. You spent every dime out of the Social Security trust fund. And where you promised tax relief for the middle class, you increased it. And guess what? Republicans took the majority. And we reduced Social Security increases. We gave money back to the middle class so that they would have money to spend on their education systems. Not a single Democrat budget or economic policy has passed since. Not one. Not even the Blue Dogs. And so for you to take credit for the surplus is ridiculous.

Unfortunately, it is an election year. I am going to vote for this motion. But what it is, as you can see from my colleagues on the other side, it is election year partisanship Republican bashing. That is all it is. They know that this is meaningless. But all they want to do is sit up here and bash Republicans.

I am going to give you a couple of issues. You know that when we talk about how we finance education, my friends on the other side, anything to do with unions, they will not cut. Davis-Bacon for school construction, the right-to-work States save up to 30 percent on school construction, but do you think my colleagues on the other side would support a reduction in Davis-Bacon just for building schools?

Absolutely not. That is where they get their campaign dollars. When you start caring about education more than you do the unions, come talk to me.

Alan Bersin, Democrat under Bill Clinton, is the superintendent of San Diego city schools. His number one problem in the State of California, it was Gray Davis, it is not now, his number one problem is trial lawyers who are ripping off the schools for special education. In the D.C. bill at least we capped trial lawyers' fees. In 1 year we are giving \$12 million for special education students, for special education programs, for special education activities, not to the trial lawyers. But do you think my friends on the other side would do that? No way. If you want to increase money, take a look at your own rhetoric.

I am going to vote for this motion, but I want to tell the gentleman, when the gentleman from Wisconsin (Mr. OBEY) said that he drug Republicans for educational spending, the only thing the Democrats are doing right now is dragging their anchor. They are going to vote against the bill, and they do not want people to know that they are going to vote against education; and that is exactly what they are doing. This is another reason for them saying, all the mean Republicans. If you vote against this bill, you are voting to cut education, the very thing that you are bashing Republicans for. I resent the implication. You know how hard most of us work, on both sides of the aisle. My wife was chief of staff for the assistant Secretary of Education. I was a teacher and a coach in high school and college and dean of a college. My sister-in-law is in charge of special education in San Diego city schools. I stayed on the D.C. committee to improve education. And for your leadership to sit up here and say Republicans do not care about education, I resent it. I wish I could say more, but my words would be taken down.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. GEORGE MILLER), ranking member of the Committee on Education and the Workforce.

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

Mr. GEORGE MILLER of California. Mr. Speaker, Republicans on the other side of the aisle keep saying it is not about the numbers, and then they want to argue the numbers. Let me agree with them: this is not about the numbers. This is simply a question of values and ethics. This is whether or not this President and this Republican Party that controls the Congress of the United States will keep their word to America's children and to their parents and to the school districts and the teachers across this Nation.

It is all interesting what you want to talk about before No Child Left Behind passed. But No Child Left Behind is the

most significant reforms we have made to American education in 35 years. And we did it with full knowledge of how much money we were spending, and we did it with full negotiations with this President about the reforms and the significance of these reforms; and this President said, if you can get these reforms, I will get you the resources. We now find out he just simply was not telling the truth. He told the truth for 1 year. He just could not tell the truth for both years, because the resources are not there. We told schools that this Nation wants you to have 100 percent of our children proficient at grade level in 12 years. Schools are working hard to do this. And there are mixed results. But they are doing it. They are working at it. And now we have identified each and every child that is not meeting that standard. Those are called schools in need of improvement.

What do we say in the Federal law for schools in need of improvement? We said we will give you additional money in the second and third year to turn those schools around, to reconfigure those schools to get different results. Those are the exact schools that need the money this year, and it is not there because this Congress and this President refuse to provide it. So what do those poor children do? They have been told that they need improvement. Later there could be sanctions against these schools at the State level, and we have pulled back the money that they were going to use to improve those schools. The Governors have taken the heat for identifying those schools. The school superintendents have taken the heat for identifying these schools. Parents are upset. But the whole idea was that we would help you turn those schools around because it is important to our country, it is important to these children, it is important to their families. But on the eve of the moment that that is supposed to happen, this President reneged on his promise. He got the reforms on a big bipartisan basis, and school districts all across the country are trying to make them work, and he walks out on them because he did not put the money in his budget, and he is encouraging the Congress not to go forward with these kinds of increases.

This motion to instruct is not meaningless. It is important. It is about values. It is about truthfulness. It is about the ethics of our profession when we promise the American people we will do something and then we fail to do it.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BASS). The Chair will remind Members that it is not in order to refer to the President in personal terms. Although remarks in debate may include criticism of the President's official actions or policies, they may not include criticism on a personal level such as accusing him of not telling the truth.

Mr. REGULA. Mr. Speaker, I yield 5 minutes to the gentlewoman from Kentucky (Mrs. NORTHUP), a very productive member of our subcommittee.

Mrs. NORTHUP. Mr. Speaker, I rise to add my voice to others' about the importance of education and making sure that quality education is available to every child. As the mother of six children, when I have students that visit Washington, they often ask me, where did you learn what you needed to know to be a Member of Congress? Of course, they expect me to talk about my years in the State legislature or what I studied in college. But I tell them the answer and I tell them that the truth is I learned most of what I needed to know as the mother of these six children, all of whom had different talents and different challenges, all of whom went through school needing the advice and the special programs that would be available to them so that they could succeed.

□ 1845

That is what is so important for all the children in this country, and that is what we are struggling with.

I believe my colleagues on the other side of the aisle also want every child to have an opportunity for a quality education, and they have always focused on input, asking for more programs and more dollars. In fact, my experience in Washington, compared to my experience in the State legislature, has been a take-your-breath-away experience over the last 7 years, as every single appropriation meeting is about more, more, more; more dollars, more programs. No matter how much more is proposed, there are always amendments to spend even more than that.

In every single markup of education bills and other bills, there are proposals for \$1 billion here and \$1 billion there. I will never forget sitting in one markup for one education appropriation bill, and there was over \$10 billion proposed for new spending, something that the Democrats voted for almost en masse in that markup of that bill. Every program, more money, more money, more money.

On the other hand, as a mother, what I found is that I needed to be able to go to school and talk to my children's teachers and ask, what can we do to help this child with their math? What can we do to help this child with reading? I needed to know that for the children that were disorganized, that the teacher would help me in formulating a program to help them become more organized; that for the child that struggled in writing, we could address those challenges.

And what teachers tell me in my district is nothing about more money, more money, more money. That is not what parents talk about. They talk about red tape; they talk about their hands tied; they talk about Federal limitations.

When No Child Left Behind was passed, overwhelmingly I heard thank you for rolling so many of these different programs together, giving teachers and schools the ability to address the challenges that were unique to

their school. Did they need more computers? They could spend the dollars there. Did they need more remedial reading programs? They could spend the dollars there. Did they need more flexibility, so that the challenges of other children could be met? They could do that. Instead of having every single dollar sort of outlined for them, they could address the unique challenges that their students, in their schools, had.

What our side of the aisle has focused on is not only investing more money in education, but in the outcome, how do we make sure that those dollars help children achieve at a higher level? And why is that important? Because, after all these years of Federal investments, what were we looking at when we passed No Child Left Behind? Sixty-eight percent of our fourth graders could not read at grade level. We knew that minority children and children from disadvantaged families were falling behind at even a faster and greater rate than any time in our past, so we knew that we had more money, and more programs were not the answer.

Many of the objections that my colleagues on the other side of the aisle refer to are actually talking about programs that have been wrapped together so that a school that needs more after-school programs can spend the dollars in a way that meets those needs; schools that need more tutoring or more intervention for kids that have learning disabilities can use the dollars there. What we are talking about is not only the investment, but making sure we get the benefits of those investments.

I want to thank our chairman. He has done a wonderful job of making sure that with No Child Left Behind, that we invested 18 percent additional dollars into our school systems. There are those that think that before those dollars are even out the door, that that is not enough. They almost imply that that 18 percent is not carried over to the next year and the next year. But, of course, we have built on that each year since then. I thank the chairman for the balance and the investment for our children.

Mr. OBEY. Mr. Speaker, I yield 3 minutes 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 thank my friend from Wisconsin for yielding me time.

Mr. Speaker, the gentlewoman from Kentucky just said the majority is interested in outcomes. Well, let me tell you what the outcome of the No Child Left Behind Act has been for thousands of schools across America. This law, which has had great potential to create learning opportunities for children, is creating great havoc for the schools of America.

Public educators across the country, who were told that they would receive

more help if they needed it, are receiving lectures from the Department of Education about how to run their schools, mandates from the United States Congress telling them what they must do in their schools, and money that falls \$8 billion short of the job that we say needs to be done. We said to these public educators, you must test and evaluate every child, every year, between the third grade and the eighth grade, and you, local taxpayers, should pay for it. That was not the commitment of the No Child Left Behind Act.

They have been told that if your school falls into the category of a school that needs improvement, a definition that has been tortured beyond recognition by the Department of Education in its interpretation of this law, if you fall into such a category, you will get the money for the tutoring programs and the after-school programs and the parent academies that work to improve learning. But the money is not here, because we are \$8 billion short.

Governing is choosing, and I would suggest to the majority, here is your choice: You can let the No Child Left Behind Act with all of its flaws stay in place and force upon your constituents and mine local tax increases; or you can find the funds to meet the promise this Congress made to those local school districts and pay for the tests and pay for the mandates and pay for the services that are required.

It is the great dilemma of the majority. The budget resolution it passed does not permit them to do so, because this country's educational future, as is the case with so many other priorities in this country, was squandered on the majority's tax cut so we can have a tax cut tilted toward the very wealthy in Washington. We will see increases on everyone else across the country to pay for the mandates of the No Child Left Behind Act.

The right thing to do is to suspend the mandates of the No Child Left Behind Act until the money is there to pay for those mandates. Otherwise, when the gentlewoman talks about local flexibility and local educators being able to buy computers and do tutoring programs, the money they would like to have for those computers and those tutoring programs is being spent on the No Child Left Behind Act.

Support the resolution. Enforce the act properly.

Mr. REGULA. Mr. Speaker, I yield 2½ minutes to the gentleman from Florida (Mr. WELDON), a member of our subcommittee who works diligently on these tough problems.

Mr. WELDON of Florida. Mr. Speaker, I thank the chairman for yielding me time.

Mr. Speaker, I rise in opposition to this motion. The Obey motion to instruct insists on the highest funding levels possible for implementation of the No Child Left Behind Act. The motion to instruct says that unlimited

funding is the answer. But higher funding is not an end in itself. In fact, it often represents a failure of government.

What kind of responsibility, what kind of governance, is provided by simply spending more money? None. Instead, we have a system already in place to determine educational spending that provides accountability and results. It consists of local school boards and parents. It consists of State initiatives, like charter schools and vouchers, to enhance academic choice and school accountability.

The President's No Child Left Behind initiative attempts to build accountability and results into what States are doing. When we have no other alternative but to increase funding levels, we say increased funding is all we can do and the system is broken.

If higher funding levels were the answer, the District of Columbia would have some of the highest academic scores in the Nation. But, unfortunately, the opposite is true. Higher funding does not guarantee results. The District of Columbia's school system spends more per student than Fairfax County, just across the river. The academic performance could not be more different.

The answer, I believe, is local control and decision making. In Brevard County, Florida, where I live, a local sales tax initiative is being considered by local officials to support increased educational funding. The same thing is going on in Fairfax County as well. This is what should be done; local control, the decisions of local voters.

I believe the Federal Government needs to get out of the way of local action. We are not local school boards, and we should not pretend to be them either. Let us allow greater discretion at the local school board level and local government level, and let us let them set the majority of the policies. Oppose the Obey motion.

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

Mr. Speaker, we are going to support this motion because we share with the gentleman from Wisconsin (Mr. OBEY) the desire to have the highest funding levels possible for programs on No Child Left Behind. We did that in the bill. Obviously, there is never enough, but we did as much as we could under the constraints of the budget.

I would point out again and reiterate that we increased the funding for 43 programs in education, including title I, including IDEA and a whole host of others. Of course, the motion is simply saying do the best possible job we can.

I know that the gentleman from Wisconsin (Mr. OBEY) and I both share the desire to do as much as we can for education, but we are constrained by the amount of money that is available to us under the budget resolution. Within that, and in the priorities within our bill, we have done every bit possible. Hopefully, in conference, we can reach an agreement with the other body that

will even increase some by taking it from other areas. I support the resolution.

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

Mr. Speaker, I will include at the end of my remarks two chronologies.

Mr. Speaker, the gentleman from Ohio has just said that we did the best job that we could in funding these education programs within the context of the budget resolution. I do not deny that. The important part of that sentence, however, is "within the confines of the budget resolution."

Our target has never been this bill; our target has been the constraints on our committee imposed by the budget that mean that we will be providing an ever-smaller increase in funding for education at a time when we need to be providing more.

I must say, I am a little bit confused by some of the rhetoric I have heard today. We heard three Republican speakers in a row try to suggest that it was the Republican Party that in fact had done a better job than Democrats in terms of funding education. Then we heard the gentlewoman from Kentucky get up and take the opposite end of the same argument and bemoan and decry the fact that we had the temerity on one occasion to ask for a \$10 billion increase in investments in our children.

That is absolutely right. We did, and I make no apology for it. I think we should have done more.

The gentlewoman from Kentucky mentioned people's concern about red tape. The mother-of-all-red-tape programs in the education area is No Child Left Behind.

We gave the President the benefit of the doubt, because he said he wanted the programs reformed before we put more money in. They have been reformed. Now the question is, where is the money?

The fact is that what is happening is that, whether it is denied or not, this Congress, under the policies dictated by the Republican budget resolution, this Congress is walking away from the policies of No Child Left Behind.

For 1 year after that program passed, this Congress had a bipartisan position in support of meeting the goals of that act. But now we see that it was evidently a 1-year promise. We are \$8 billion short of where we promised the country we would be if we passed those reforms. In education, we are \$3 billion short of where the budget resolution, the Republican budget resolution, promised we would be.

□ 1900

We are, for title I, \$131 million short of where the Republican budget resolution promised we would be. We are \$1.2 billion short of where the Republican budget resolution promised us we would be for special education. Those numbers are undeniable.

I would like to close by reading a greater portion of the letter that I received from a Michelle Cinciripino, a

principal in Philadelphia. In part, here is what her letter reads: "On September 2 we opened a new school year in a brand-new school building and we were off and running, despite the lack of books and other needed supplies. And then Friday came. A second grader ran screaming from her classroom and had to be restrained until she finally broke down in tears and told us she was worried about her mom, a known drug dealer in trouble again with the law. I assured her we loved her and that she was safe at school, and off she went for the weekend. Monday came and this time she came screaming from the building. Several hours and a sound breakfast later, we finally got her back to class. Tuesday and Wednesday followed the same pattern, until Thursday when she came in having been beaten with a belt. I spent Thursday with the police and Child Protective Services. She is now safe with her dad. But I am left wondering, how is it that schools can be labeled as failures when so many of our children enter school already left behind? And if schools are to fix all of the societal ills that haunt our students, why is the funding not there for our schools, especially our urban schools where our most needy students are?"

Then she goes on to say, "The second grader I mentioned is but one of many hurting, angry children who enter my school on a daily basis. They lack what we take for granted: a safe, loving, nurturing home where their basic needs are met. For these students, my staff and I provide the only consistent safe place these kids know. We want desperately to teach them; but before we can do that, we must feed them and love them. We must gain their trust and we must teach them the social skills that no one has ever shared with them or modeled for them. I hope you will share my story with your colleagues who say that educators 'just don't want to be accountable.' I would be happy to share my story with them in person and can be reached at the above address and phone number."

I think we ought to take the concerns of that principal to heart.

This motion in and of itself is not the issue. The amount of money that we can provide through this motion in added funding for education is small indeed.

The real issue is whether or not the House, having had an opportunity to once again hear concerns expressed about the problem, whether the House, in fact, will find a way to do more for education than we have done in this bill.

One of the previous speakers said that he resented it because we said that Republicans do not love education. I do not believe that. I think Republicans like education. I just do not think, based on their records, that they happen to like it as much as they like preserving \$88,000 tax cuts for millionaires. That is our only objection. And when we have a change in those

priorities, we will, once again, have a bill we can both agree on.

Ms. WOOLSEY. Mr. Speaker, I rise in strong support of Mr. OBEY's motion to instruct conferees on H.R. 2660 to increase funding for the No Child Left Behind Act to the highest possible amount.

As we near the end of the second year since No Child Left Behind became law, schools all over America are crying out for more funding in order to meet the new accountability benchmarks.

When I voted for the No Child Left Behind Act almost 2 years ago, I did so with reservations about the new testing requirements. But, I and all of the Members, were assured that while we were going to be asking much more of our schools, we would also be giving our schools increased support. But that is not what happened.

H.R. 2660 underfunds the No Child Left Behind Act by \$8 billion.

It falls \$244 million short of the \$3.2 billion that was promised to the States to make sure that there would be a highly qualified teacher in every classroom.

It underfunds after school programs by \$750 million, serving one million children less than was promised in No Child Left Behind.

It denies eligible children the title I supplemental education services that they need to succeed in school.

States and schools all across America are doing their part to raise test scores and improve teacher quality. Congress needs to do its part by providing the promised funding. We need to fund programs under the No Child Left Behind Act at the very highest level possible.

Mr. CASTLE. Mr. Speaker, we all have heard the impressive statistics regarding the education funding increases that this Congress and Administration have provided over the past two years. No one can legitimately refute the fact that each year we provide historic increases that are necessary for states and schools across the country.

As someone who worked closely with the Administration and the Committee when Congress passed the No Child Left Behind Act, I have remained committed to following its implementation as well as the funding levels. I have always argued that we should make fundamental reforms to our federal programs before throwing money at them. No Child Left Behind is inciting those reforms and states, school districts, teachers, students and parents across the country are answering the call.

I think we all can agree that change is difficult and that No Child Left Behind reflects that. It is forcing all of us, as a nation, to have an important dialogue about education. A discussion that is being followed by action and dedication to success. It is for these reasons that I believe we are justified in continuing to push for and appropriate increased funding for our education programs. The people on the ground deserve it.

I have always prioritized adequate funding for education programs as well as fiscal conservatism. Given other expenses we have across the country and the world, I believe the House Labor, Health and Human Services and Education Appropriations Act represents a delicate balance between increased funding for federal education programs and fiscal restraint. I support the motion to instruct, however, because all of these education programs

deserve to have the highest funding levels possible. Any additional available funding should go to our students.

The SPEAKER pro tempore (Mr. BASS). The time of the gentleman has expired. All time has expired.

Without objection, the previous question is ordered.

There was no objection.

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

The motion was agreed to.

A motion to reconsider was laid on the table.

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#### REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. LINCOLN DIAZ-BALART of Florida (during debate on motion to instruct on H.R. 2660), from the Committee on Rules, submitted a privileged report (Rept. No. 108-335) on the resolution (H. Res. 421) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

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#### REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2115, VISION 100—CENTURY OF AVIATION REAUTHORIZATION ACT

Mr. LINCOLN DIAZ-BALART of Florida (during debate on motion to instruct on H.R. 2660), from the Committee on Rules, submitted a privileged report (Rept. No. 108-336) on the resolution (H. Res. 422) waiving points of order against the conference report to accompany the bill (H.R. 2115) to amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, and for other purposes, which was referred to the House Calendar and ordered to be printed.

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#### MOTION TO INSTRUCT CONFEREES ON H.R. 6, ENERGY POLICY ACT OF 2003

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I offer a motion to instruct conferees.

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

The Clerk read as follows:

(1) The House conferees shall be instructed to include in the conference report the provisions of section 837 of the Senate Amendment that concern reformulated gasoline in ozone nonattainment areas and ozone transport regions under the Clean Air Act.

(2) The House conferees shall be instructed to confine themselves to matters committed to conference in accordance with clause 9 of rule XXII of the House of Representatives with regard to any matters relating to ozone nonattainment and ozone transport.