

[Roll No. 590]

YEAS—176

Abercrombie	Hoefel	Oberstar
Allen	Holden	Obey
Andrews	Holt	Oliver
Baca	Hooley	Ortiz
Baird	Hoyer	Owens
Baldacci	Inslee	Pallone
Baldwin	Jackson (IL)	Pascarell
Barcia	Jefferson	Pastor
Barrett (WI)	John	Payne
Becerra	Johnson, E. B.	Pelosi
Bentsen	Jones (OH)	Phelps
Berkley	Kanjorski	Pomeroy
Berman	Kaptur	Price (NC)
Berry	Kildee	Quinn
Blagojevich	Kind (WI)	Rahall
Blumenauer	Klecza	Rangel
Bonior	Kucinich	Reyes
Borski	LaFalce	Rivers
Boswell	Lampson	Rodriguez
Brady (PA)	Larson	Roemer
Capps	Lee	Rothman
Capuano	Levin	Roybal-Allard
Cardin	Lewis (GA)	Rush
Carson	Lipinski	Sanchez
Clayton	LoBiondo	Sanders
Clement	Lofgren	Sandlin
Clyburn	Lowey	Sawyer
Costello	Lucas (KY)	Schakowsky
Coyne	Luther	Serrano
Cramer	Maloney (CT)	Sherman
Crowley	Maloney (NY)	Shows
Cummings	Markey	Sisisky
Davis (IL)	Mascara	Skelton
DeFazio	Matsui	Slaughter
DeGette	McCarthy (MO)	Smith (NJ)
DeLauro	McCarthy (NY)	Smith (WA)
Deutsch	McDermott	Snyder
Dixon	McGovern	Souder
Doggett	McHugh	Stabenow
Doyle	McIntyre	Stark
Edwards	McKinney	Strickland
Engel	McNulty	Stupak
Eshoo	Meehan	Tanner
Etheridge	Meeke (FL)	Tauscher
Evans	Meeke (NY)	Thompson (CA)
Farr	Menendez	Thompson (MS)
Fattah	Millender-	Thurman
Filner	McDonald	Trerney
Frost	Miller, George	Towns
Gephardt	Minge	Udall (CO)
Gonzalez	Mink	Udall (NM)
Gordon	Moakley	Velázquez
Green (TX)	Moore	Visclosky
Gutierrez	Moran (VA)	Watt (NC)
Hall (OH)	Morella	Weiner
Hill (IN)	Murtha	Weygand
Hilliard	Nadler	Woolsey
Hinche	Napolitano	Wu
	Ney	Wynn

NAYS—183

Aderholt	Coburn	Gilman
Army	Combest	Goode
Bachus	Condit	Goodlatte
Baker	Cook	Goodling
Ballenger	Cooksey	Goss
Barr	Cox	Graham
Barrett (NE)	Crane	Granger
Bartlett	Cubin	Green (WI)
Barton	Cunningham	Gutknecht
Bass	Davis (VA)	Hall (TX)
Bereuter	Deal	Hastings (WA)
Biggert	DeLay	Hayworth
Bilirakis	DeMint	Hefley
Bile	Diaz-Balart	Heger
Blunt	Doolittle	Hilleary
Boehner	Dreier	Hobson
Bonilla	Duncan	Hoekstra
Bono	Ehlers	Horn
Bryant	Ehrlich	Hostettler
Burr	English	Houghton
Burton	Everett	Hulshof
Buyer	Ewing	Hunter
Callahan	Fletcher	Hutchinson
Calvert	Foley	Hyde
Camp	Fossella	Isakson
Canady	Frelinghuysen	Istook
Cannon	Galleghy	Johnson, Sam
Castle	Ganske	Jones (NC)
Chabot	Gekas	Kelly
Chenoweth-Hage	Gilchrist	King (NY)
Coble	Gillmor	Kingston

Knollenberg	Pitts	Spence
Kolbe	Pombo	Stearns
Kuykendall	Porter	Stenholm
LaHood	Portman	Stump
Largent	Pryce (OH)	Sununu
Latham	Radanovich	Sweeney
LaTourette	Ramstad	Tancredo
Leach	Regula	Tauzin
Lewis (CA)	Reynolds	Taylor (MS)
Lewis (KY)	Riley	Taylor (NC)
Linder	Rogan	Terry
Manzullo	Rogers	Thomas
Martinez	Rohrabacher	Thornberry
McCreary	Ros-Lehtinen	Thune
McInnis	Roukema	Tiahrt
Metcalf	Royce	Toomey
Miller (FL)	Ryan (WI)	Traficant
Miller, Gary	Ryun (KS)	Upton
Moran (KS)	Sanford	Vitter
Myrick	Schaffer	Walden
Nethercutt	Sensenbrenner	Walsh
Norwood	Sessions	Watkins
Nussle	Shadegg	Weldon (PA)
Oxley	Sherwood	Weller
Packard	Shimkus	Whitfield
Paul	Shuster	Wicker
Pease	Simpson	Wilson
Peterson (MN)	Skeen	Wolf
Petri	Smith (MI)	Young (AK)
Pickering	Smith (TX)	Young (FL)

NOT VOTING—73

Ackerman	Fowler	Mica
Archer	Frank (MA)	Mollohan
Bilbray	Franks (NJ)	Neal
Bishop	Gejdenson	Northup
Boehlert	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, including 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 increases 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