

problems with respect to Federal funding are, in many cases, quite different. What we are doing today with this amendment, Mr. Chairman, is giving them the elected school boards in public schools throughout America, the ability to decide how to spend the dollars that they send to Washington, D.C.

I urge this House to support the amendment.

Mr. PETRI. Mr. Chairman, I rise in support of the Tiberi-Castle amendment, which would place academic results instead of rules and regulations at the center of federal education programs.

Since enactment of the Elementary and Secondary Education Act 36 years ago, our approach to helping schools has been very inflexible and heavy-handed. We have set strict regulations as to what communities can and cannot do with federal education dollars, and what priorities they have to set.

It has become clear that this approach hasn't worked. After all the billions of dollars spent by the federal government since 1965, we haven't seen a narrowing of the rich-poor educational gap, schools are neither safe nor drug-free, and it seems that much of the "professional development" money is wasted. It's far past time to try another approach.

I have strongly supported previous proposals to give states and localities more flexibility in the use of federal funds, in return for real accountability, such as the "Straight A's" bill in the last Congress and the President's "Charter States" proposal in the original version of H.R. 1.

I think the Tiberi-Castle amendment is also a step forward in this regard.

Building on the "Local A's" provision in the Committee-reported bill, up to 100 school districts can enter into performance agreements with the Secretary of Education and consolidate programs, freeing themselves from requirements, regulations, and paperwork associated with many federal programs, and allocating resources to more closely fit local needs.

Participation is completely voluntary, and no school district will have their federal funding reduced by one penny for participating.

This amendment will apply the central premise of charter schools—freedom in return for academic results—to local educational agencies, and allow them to spend more time and resources on teaching and less on meeting requirements of various federal programs.

I urge my colleagues to support this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TIBERI).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. GEORGE MILLER of California. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. The Chair announces that, pursuant to clause 6 of rule XVIII, proceedings will resume on amendment No. 8 offered by the gentleman from Louisiana (Mr. VITTER)

immediately after this vote, and that a vote on amendment No. 8, if ordered, will be reduced to 5 minutes.

The vote was taken by electronic device, and there were—ayes 217, noes 209, not voting 6, as follows:

[Roll No. 132]

AYES—217

Aderholt	Green (WI)	Pombo
Akin	Greenwood	Portman
Army	Grucci	Pryce (OH)
Bachus	Gutknecht	Putnam
Baker	Hall (TX)	Quinn
Ballenger	Hart	Radanovich
Barr	Hastings (WA)	Ramstad
Bartlett	Hayes	Regula
Barton	Hayworth	Rehberg
Bass	Hefley	Reynolds
Bereuter	Herger	Riley
Biggert	Hilleary	Rogers (KY)
Bilirakis	Hobson	Rogers (MI)
Blunt	Hoekstra	Rohrabacher
Boehner	Horn	Ros-Lehtinen
Bonilla	Hostettler	Roukema
Bono	Houghton	Royce
Brady (TX)	Hulshof	Ryan (WI)
Brown (SC)	Hunter	Ryan (KS)
Bryant	Hutchinson	Saxton
Burr	Hyde	Scarborough
Burton	Isakson	Schaffer
Buyer	Issa	Schrock
Callahan	Istook	Sensenbrenner
Calvert	Jenkins	Sessions
Camp	Johnson (IL)	Shadegg
Cannon	Johnson, Sam	Shaw
Cantor	Jones (NC)	Shays
Capito	Keller	Sherwood
Castle	Kelly	Shimkus
Chabot	Kennedy (MN)	Shuster
Chambliss	Kerns	Simmons
Coble	King (NY)	Simpson
Collins	Kingston	Skeen
Combest	Kirk	Smith (MI)
Cooksey	Knollenberg	Smith (NJ)
Cox	Kolbe	Smith (TX)
Crane	LaHood	Souder
Crenshaw	Largent	Spence
Culberson	Latham	Stearns
Cunningham	LaTourette	Stump
Davis, Jo Ann	Leach	Sununu
Davis, Tom	Lewis (CA)	Sweeney
Deal	Lewis (KY)	Tancredo
DeLay	Linder	Tauzin
DeMint	LoBiondo	Taylor (MS)
Diaz-Balart	Lucas (OK)	Taylor (NC)
Doolittle	Manzullo	Terry
Dreier	McCrery	Thomas
Duncan	McHugh	Thornberry
Dunn	McInnis	Thune
Ehlers	McKeon	Tiahrt
Ehrlich	Mica	Tiberi
Emerson	Miller (FL)	Toomey
English	Miller, Gary	Trafficant
Everett	Moran (KS)	Upton
Ferguson	Myrick	Vitter
Flake	Nethercutt	Walden
Fletcher	Ney	Walsh
Foley	Northup	Wamp
Fossella	Norwood	Watkins
Frelinghuysen	Nussle	Watts (OK)
Galleghy	Osborne	Weldon (FL)
Ganske	Ose	Weldon (PA)
Gekas	Otter	Weller
Gibbons	Oxley	Whitfield
Gilchrest	Paul	Wicker
Gillmor	Pence	Wilson
Goode	Peterson (PA)	Wolf
Goodlatte	Petri	Young (AK)
Goss	Pickering	Young (FL)
Graham	Pitts	
Graves	Platts	

NOES—209

Ackerman	Becerra	Boniior
Allen	Bentsen	Borski
Andrews	Berkley	Boswell
Baca	Berman	Boucher
Baird	Berry	Boyd
Baldacci	Bishop	Brady (PA)
Baldwin	Blagojevich	Brown (FL)
Barcia	Blumenaer	Brown (OH)
Barrett	Boehlert	Capps

Capuano	Jefferson	Pallone
Cardin	John	Pascarell
Carson (IN)	Johnson (CT)	Pastor
Carson (OK)	Johnson, E. B.	Payne
Clay	Jones (OH)	Pelosi
Clayton	Kanjorski	Peterson (MN)
Clement	Kaptur	Phelps
Clyburn	Kennedy (RI)	Pomeroy
Condit	Kildee	Price (NC)
Conyers	Kilpatrick	Rahall
Costello	Kind (WI)	Rangel
Coyne	Kleczka	Reyes
Cramer	Kucinich	Rivers
Crowley	LaFalce	Rodriguez
Cummings	Lampson	Roemer
Davis (CA)	Langevin	Ross
Davis (FL)	Lantos	Rothman
Davis (IL)	Larsen (WA)	Roybal-Allard
DeFazio	Larson (CT)	Rush
DeGette	Lee	Sabo
Delahunt	Levin	Sanchez
DeLauro	Lewis (GA)	Sanders
Deutsch	Lipinski	Sandlin
Dicks	Lofgren	Sawyer
Dingell	Lowey	Schakowsky
Doggett	Lucas (KY)	Schiff
Dooley	Luther	Scott
Doyle	Maloney (CT)	Serrano
Edwards	Maloney (NY)	Sherman
Engel	Markey	Shows
Eshoo	Mascara	Skelton
Etheridge	Matheson	Slaughter
Evans	Matsui	Smith (WA)
Farr	McCarthy (MO)	Snyder
Fattah	McCarthy (NY)	Solis
Filner	McCollum	Spratt
Ford	McDermott	Stark
Frost	McGovern	Stenholm
Gephardt	McIntyre	Strickland
Gilman	McKinney	Stupak
Gonzalez	McNulty	Tanner
Gordon	Meehan	Tauscher
Green (TX)	Meek (FL)	Thompson (CA)
Gutierrez	Meeks (NY)	Thompson (MS)
Hall (OH)	Menendez	Thurman
Harman	Millender-McDonald	Tierney
Hastings (FL)	Miller, George	Towns
Hill	Mink	Turner
Hilliard	Mollohan	Udall (CO)
Hinchee	Moore	Udall (NM)
Hinojosa	Moran (VA)	Velázquez
Hoeffel	Holden	Visclosky
Holden	Morella	Waters
Holt	Murtha	Watt (NC)
Honda	Nadler	Waxman
Hooley	Napolitano	Weiner
Hoyer	Neal	Wexler
Inslee	Oberstar	Woolsey
Israel	Obey	Wu
Jackson (IL)	Olver	Wynn
Jackson-Lee	Ortiz	
(TX)	Owens	

NOT VOTING—6

Abercrombie	Frank	Hansen
Cubin	Granger	Moakley

□ 1646

Messrs. GORDON, LARSEN of Washington, and SCHIFF changed their vote from "aye" to "no."

Mr. HORN changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. GRANGER. Mr. Chairman, on rollcall Nos. 131 and 132 I was unavoidably detained. Had I been present, I would have voted "yea" on both amendments.

AMENDMENT NO. 8 OFFERED BY MR. VITTER

The CHAIRMAN pro tempore (Mr. LAHOOD). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. VITTER) on which

further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 366, noes 57, not voting 9, as follows:

[Roll No. 133]

AYES—366

Ackerman	Crane	Herger
Aderholt	Crenshaw	Hill
Akin	Crowley	Hilleary
Allen	Culberson	Hilliard
Andrews	Cummings	Hinojosa
Armey	Cunningham	Hobson
Baca	Davis (CA)	Hoeffel
Bachus	Davis (FL)	Hoekstra
Baird	Davis, Jo Ann	Holden
Baker	Davis, Tom	Horn
Baldacci	Deal	Hostettler
Ballenger	DeLauro	Houghton
Barcia	DeLay	Hoyer
Barr	Deutsch	Hulshof
Barrett	Diaz-Balart	Hunter
Bartlett	Dicks	Hutchinson
Barton	Dingell	Hyde
Bass	Doggett	Insee
Becerra	Dooley	Isakson
Bentsen	Doolittle	Israel
Bereuter	Doyle	Issa
Berman	Dreier	Istook
Berry	Duncan	Jackson-Lee
Biggert	Dunn	(TX)
Bilirakis	Edwards	Jefferson
Bishop	Ehlers	Jenkins
Blagojevich	Ehrlich	John
Blunt	Emerson	Johnson (CT)
Boehler	Engel	Johnson (IL)
Boehner	English	Johnson, E.B.
Bonilla	Eshoo	Johnson, Sam
Bonior	Etheridge	Jones (NC)
Bono	Evans	Kanjorski
Borski	Everett	Kaptur
Boswell	Ferguson	Keller
Boucher	Flake	Kelly
Boyd	Fletcher	Kennedy (MN)
Brady (TX)	Foley	Kennedy (RI)
Brown (FL)	Ford	Kerns
Brown (OH)	Fossella	Kildee
Brown (SC)	Frelinghuysen	Kind (WI)
Bryant	Frost	King (NY)
Burr	Gallegly	Kingston
Burton	Ganske	Kirk
Buyer	Gekas	Kleczka
Callahan	Gephardt	Knollenberg
Calvert	Gibbons	Kolbe
Camp	Gillmor	LaFalce
Cannon	Gilman	LaHood
Cantor	Gonzalez	Lampson
Capito	Goode	Langevin
Capps	Goodlatte	Lantos
Capuano	Gordon	Largent
Cardin	Goss	Larsen (WA)
Carson (IN)	Graham	Larson (CT)
Carson (OK)	Granger	Latham
Castle	Graves	LaTourette
Chabot	Green (TX)	Leach
Chambliss	Green (WI)	Levin
Clay	Greenwood	Lewis (CA)
Clayton	Grucci	Lewis (KY)
Clement	Gutknecht	Linder
Clyburn	Hall (OH)	Lipinski
Coble	Hall (TX)	LoBiondo
Collins	Harman	Lucas (KY)
Combest	Hart	Lucas (OK)
Condit	Hastings (FL)	Luther
Cooksey	Hastings (WA)	Maloney (CT)
Costello	Hayes	Maloney (NY)
Cox	Hayworth	Manzullo
Cramer	Hefley	Mascara

Matheson	Price (NC)	Snyder
Matsui	Pryce (OH)	Souder
McCarthy (MO)	Putnam	Spence
McCarthy (NY)	Quinn	Spratt
McCollum	Radanovich	Stearns
McCrery	Rahall	Stenholm
McHugh	Ramstad	Strickland
McInnis	Rangel	Stump
McIntyre	Regula	Stupak
McKeon	Rehberg	Sununu
McNulty	Reyes	Sweeney
Menendez	Reynolds	Tancred
Mica	Riley	Tanner
Millender-	Rodriguez	Tauscher
McDonald	Roemer	Tauzin
Miller (FL)	Rogers (KY)	Taylor (MS)
Miller, Gary	Rogers (MI)	Taylor (NC)
Miller, George	Rohrabacher	Terry
Mink	Ros-Lehtinen	Thomas
Mollohan	Ross	Thompson (MS)
Moore	Rothman	Thornberry
Moran (KS)	Roukema	Thune
Moran (VA)	Royce	Thurman
Morella	Ryan (WI)	Tiahrt
Murtha	Ryun (KS)	Tiberi
Myrick	Sanchez	Toomey
Napolitano	Sandin	Towns
Nethercutt	Sawyer	Traficant
Ney	Saxton	Turner
Northup	Scarborough	Udall (CO)
Norwood	Schaffer	Udall (NM)
Nussle	Schiff	Upton
Obey	Schrock	Visclosky
Ortiz	Sensenbrenner	Vitter
Osborne	Serrano	Walden
Ose	Sessions	Walsh
Otter	Shadegg	Wamp
Owens	Shaw	Watkins
Oxley	Shays	Watts (OK)
Pallone	Sherman	Waxman
Pascrell	Sherwood	Weldon (FL)
Pence	Shimkus	Weldon (PA)
Peterson (MN)	Shows	Weller
Peterson (PA)	Shuster	Wexler
Petri	Simmons	Whitfield
Phelps	Simpson	Wicker
Pickering	Skeen	Wilson
Pitts	Skelton	Wolf
Platts	Smith (MI)	Wynn
Pombo	Smith (NJ)	Young (AK)
Pomeroy	Smith (TX)	Young (FL)
Portman	Smith (WA)	

NOES—57

Baldwin	Jones (OH)	Pelosi
Berkley	Kilpatrick	Rivers
Blumenauer	Kucinich	Roybal-Allard
Brady (PA)	Lee	Rush
Coyne	Lewis (GA)	Sabo
Davis (LL)	Lofgren	Sanders
DeFazio	Lowey	Schakowsky
DeGette	Marky	Scott
DeLahunt	McDermott	Slaughter
Farr	McGovern	Solis
Fattah	McKinney	Stark
Filner	Meehan	Thompson (CA)
Gilchrest	Meeks (NY)	Tierney
Gutierrez	Nadler	Velázquez
Hinchey	Neal	Waters
Holt	Oberstar	Watt (NC)
Honda	Pastor	Weiner
Hooley	Paul	Woolsey
Jackson (IL)	Payne	Wu

NOT VOTING—9

Abercrombie	DeMint	Meek (FL)
Conyers	Frank	Moakley
Cubin	Hansen	Olver

□ 1655

Mr. GILCHREST changed his vote from “aye” to “no.”

Mrs. DAVIS of California, Messrs. SERRANO and SMITH of Washington changed their votes from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. BOEHNER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. LAHOOD, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1) to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, proceedings will now resume on the motion to suspend the rules on which further proceedings were postponed yesterday.

SMALL BUSINESS LIABILITY PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 1831.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. GILLMOR) that the House suspend the rules and pass the bill, H.R. 1831, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 13, as follows:

[Roll No. 134]

YEAS—419

Ackerman	Boyd	Culberson
Aderholt	Brady (PA)	Cummings
Akin	Brady (TX)	Cunningham
Allen	Brown (FL)	Davis (CA)
Andrews	Brown (OH)	Davis (FL)
Armey	Brown (SC)	Davis (IL)
Baca	Bryant	Davis, Jo Ann
Bachus	Burr	Davis, Tom
Baird	Burton	Deal
Baker	Buyer	DeFazio
Baldacci	Callahan	DeGette
Baldwin	Calvert	DeLahunt
Ballenger	Camp	DeLauro
Barcia	Cannon	DeLay
Barr	Cantor	Deutsch
Barrett	Capito	Diaz-Balart
Bartlett	Capps	Dicks
Barton	Capuano	Dingell
Bass	Cardin	Doggett
Becerra	Carson (IN)	Dooley
Bentsen	Carson (OK)	Doolittle
Bereuter	Castle	Doyle
Berkley	Chabot	Dreier
Berman	Chambliss	Duncan
Berry	Clay	Dunn
Biggert	Clayton	Edwards
Bilirakis	Clement	Ehlers
Bishop	Coble	Ehrlich
Blagojevich	Combest	Emerson
Blumenauer	Condit	Engel
Blunt	Conyers	English
Boehler	Cooksey	Eshoo
Boehner	Costello	Etheridge
Bonilla	Cox	Evans
Bonior	Coyne	Everett
Bono	Cramer	Farr
Borski	Crane	Fattah
Boswell	Crenshaw	Ferguson
Boucher	Crowley	Filner