

Rogers	Smith (TX)	Udall (NM)
Ros-Lehtinen	Smith (WA)	Upton
Rothman	Snyder	Velazquez
Roukema	Souder	Vento
Roybal-Allard	Spence	Visclosky
Rush	Spratt	Vitter
Ryan (WI)	Stabenow	Walden
Sabo	Stearns	Walsh
Sanchez	Stenholm	Waters
Sanders	Strickland	Watkins
Sandlin	Stupak	Watt (NC)
Sawyer	Sununu	Watts (OK)
Saxton	Talent	Waxman
Schakowsky	Tanner	Weiner
Scott	Tauscher	Weldon (PA)
Serrano	Tauzin	Weller
Shaw	Terry	Wexler
Shays	Thomas	Weygand
Sherman	Thompson (CA)	Whitfield
Sherwood	Thompson (MS)	Wicker
Shimkus	Thornberry	Wilson
Shows	Thune	Wise
Sisisky	Thurman	Wolf
Skeen	Tierney	Woolsey
Skelton	Toomey	Wu
Slaughter	Trafficant	Wynn
Smith (MI)	Turner	Young (FL)
Smith (NJ)	Udall (CO)	

NOT VOTING—17

Baker	Holden	Ortiz
Coble	Jefferson	Peterson (PA)
Combest	Kennedy	Radanovich
Edwards	Lewis (GA)	Stark
English	McDermott	Towns
Hinchee	Meek (FL)	

So the amendment was not agreed to. The SPEAKER pro tempore, Mr. FOLEY, assumed the Chair.

When Mr. CALVERT, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

§81.18 PROVIDING FOR THE CONSIDERATION OF H.R. 1995

Ms. PRYCE of Ohio, by direction of the Committee on Rules, called up the following resolution (H. Res. 253):

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1995) to amend the Elementary and Secondary Education Act of 1965 to empower teachers, improve student achievement through high-quality professional development for teachers, reauthorize the Reading Excellence Act, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments

printed in the report are waived. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Ms. PRYCE of Ohio, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that the yeas had it.

Mr. MOAKLEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 227  
Nays ..... 187

§81.19 [Roll No. 315] YEAS—227

Aderholt	Crowley	Hall (TX)
Archer	Cubin	Hansen
Armey	Cunningham	Hastings (WA)
Bachus	Davis (FL)	Hayes
Baker	Davis (VA)	Hayworth
Ballenger	Deal	Hefley
Barr	DeLay	Heger
Barrett (NE)	DeMint	Hill (MT)
Bartlett	Diaz-Balart	Hilleary
Barton	Dickey	Hobson
Bass	Doolittle	Hoekstra
Bateman	Dreier	Horn
Bereuter	Duncan	Hostettler
Biggett	Dunn	Houghton
Bilbray	Ehlers	Hulshof
Bilirakis	Ehrlich	Hunter
Billey	Emerson	Hutchinson
Blunt	Eshoo	Hyde
Boehlert	Everett	Isakson
Boehner	Ewing	Istook
Bonilla	Fletcher	Jenkins
Bono	Foley	Johnson (CT)
Brady (TX)	Fossella	Johnson, Sam
Bryant	Fowler	Jones (NC)
Burr	Franks (NJ)	Kasich
Burton	Frelinghuysen	Kelly
Buyer	Galleghy	Kind (WI)
Callahan	Ganske	King (NY)
Camp	Gekas	Kingston
Campbell	Gibbons	Knollenberg
Canady	Gilchrest	Kolbe
Cannon	Gillmor	Kucinich
Castle	Gilman	Kuykendall
Chabot	Goode	LaHood
Chambliss	Goodlatte	Largent
Chenoweth	Goodling	Latham
Coburn	Goss	LaTourette
Collins	Graham	Lazio
Combest	Granger	Leach
Cook	Green (WI)	Lewis (CA)
Cox	Greenwood	Lewis (KY)
Crane	Gutknecht	Linder

LoBiondo	Quinn	Souder
Lucas (OK)	Radanovich	Spence
Manzullo	Ramstad	Stearns
McCollum	Regula	Stump
McCrery	Reynolds	Sununu
McHugh	Riley	Sweeney
McInnis	Roemer	Talent
McIntosh	Rogan	Tancredo
McKeon	Rogers	Tauzin
Metcalfe	Rohrabacher	Taylor (NC)
Mica	Ros-Lehtinen	Terry
Miller (FL)	Roukema	Thomas
Miller, Gary	Royce	Thornberry
Moran (KS)	Ryan (WI)	Thune
Moran (VA)	Ryun (KS)	Tiahrt
Morella	Salmon	Toomey
Myrick	Sanford	Trafficant
Nethercutt	Saxton	Upton
Ney	Scarborough	Walden
Northup	Schaffer	Walsh
Norwood	Sensenbrenner	Wamp
Nussle	Sessions	Watkins
Ose	Shadegg	Watts (OK)
Oxley	Shaw	Weldon (PA)
Packard	Shays	Weldon (FL)
Paul	Sherwood	Weller
Pease	Shimkus	Whitfield
Petri	Shuster	Wicker
Pickering	Simpson	Wilson
Pitts	Skeen	Wolf
Pombo	Smith (MI)	Young (AK)
Porter	Smith (NJ)	Young (FL)
Portman	Smith (TX)	
Pryce (OH)	Smith (WA)	

NAYS—187

Abercrombie	Gordon	Oberstar
Ackerman	Green (TX)	Obey
Allen	Gutierrez	Olver
Andrews	Hall (OH)	Owens
Baird	Hastings (FL)	Pallone
Baldacci	Hill (IN)	Pascrell
Baldwin	Hilliard	Pastor
Barcia	Hinojosa	Payne
Barrett (WI)	Hoeffel	Pelosi
Becerra	Holt	Peterson (MN)
Bentsen	Hooley	Phelps
Berkley	Hoyer	Pickett
Berry	Inslee	Pomeroy
Bishop	Jackson (IL)	Price (NC)
Blagojevich	Jackson-Lee	Rahall
Blumenauer	(TX)	Rangel
Bonior	Jefferson	Reyes
Borski	John	Rivers
Boswell	Johnson, E. B.	Rodriguez
Boucher	Jones (OH)	Rothman
Boyd	Kanjorski	Roybal-Allard
Brady (PA)	Kaptur	Rush
Brown (FL)	Kildee	Sabo
Brown (OH)	Kilpatrick	Sanchez
Capps	Kleczka	Sanders
Capuano	Klink	Sandlin
Carson	LaFalce	Sawyer
Clay	Lampson	Schakowsky
Clayton	Larson	Scott
Clement	Lee	Serrano
Clyburn	Lipinski	Sherman
Condit	Loftgren	Shows
Conyers	Lowery	Sisisky
Costello	Lucas (KY)	Skelton
Coyne	Luther	Slaughter
Cramer	Maloney (CT)	Snyder
Cummings	Maloney (NY)	Spratt
Danner	Markey	Stabenow
Davis (IL)	Martinez	Stenholm
DeFazio	Mascara	Strickland
DeGette	Matsui	Stupak
Delahunt	McCarthy (MO)	Tanner
DeLauro	McCarthy (NY)	Tauscher
Deutsch	McGovern	Taylor (MS)
Dicks	McIntyre	Thompson (CA)
Dingell	McKinney	Thompson (MS)
Dixon	McNulty	Thurman
Doggett	Meehan	Tierney
Dooley	Meek (FL)	Turner
Doyle	Meeks (NY)	Udall (CO)
Edwards	Menendez	Udall (NM)
Etheridge	Millender	Velazquez
Evans	McDonald	Vento
Farr	Miller, George	Visclosky
Fattah	Minge	Waters
Filner	Mink	Waxman
Forbes	Moakley	Weiner
Ford	Mollohan	Wexler
Frank (MA)	Moore	Weygand
Frost	Murtha	Wise
Gejdenson	Nadler	Woolsey
Gephardt	Napolitano	Wu
Gonzalez	Neal	Wynn

## NOT VOTING—19

Berman	Hinchey	Ortiz
Calvert	Holden	Peterson (PA)
Cardin	Kennedy	Stark
Coble	Lantos	Towns
Cooksey	Levin	Watt (NC)
Engel	Lewis (GA)	
English	McDermott	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

## 81.20 TEACHER EMPOWERMENT

The SPEAKER pro tempore, Mr. STEARNS, pursuant to House Resolution 253 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1995) to amend the Elementary and Secondary Education Act of 1965 to empower teachers, improve student achievement through high-quality professional development for teachers, reauthorize the Reading Excellence Act, and for other purposes.

The SPEAKER pro tempore, Mr. STEARNS, by unanimous consent, designated Mr. SHIMKUS as Chairman of the Committee of the Whole; and after some time spent therein,

## 81.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. GOODLING:

Page 4, after line 25, insert the following:

“(ii) NONPARTICIPATING STATES.—In the case of a State that did not receive any funds for fiscal year 1999 under one or more of the provisions referred to in subclauses (I) through (III) of clause (i), the amount allotted to the State under such clause shall be the total amount that the State would have received for fiscal year 1999 if it had elected to participate in all of the programs for which it was eligible under each of the provisions referred to in such subclauses.

Page 5, line 1, strike “(ii)” and insert “(iii)”.

Page 7, strike lines 11 through 21 and insert the following:

if the State agrees to expend at least 95 percent of the amount of the funds provided under the grant for the purpose of making, in accordance with this part, subgrants to local educational agencies under subpart 3 and subgrants to eligible partnerships under subpart 2.

Page 7, line 24, strike “3” and insert “5”.

Page 8, beginning on line 6, strike “SUBGRANTS” and all that follows through the end of line 7 and insert “SUBGRANTS.—”.

Page 8, beginning on line 9, strike “Except” and all that follows through “a” on line 10 and insert “A”.

Page 8, line 12, strike “(b)(1)(A)” and insert “(b)(1)”.

Page 9, strike lines 10 through 13 and insert the following:

“(B) MINIMUM AMOUNT.—

“(i) IN GENERAL.—For any fiscal year for which a local educational agency would receive under subparagraph (A) an amount that is less than the total amount that the agency received for fiscal year 1999 under—

“(I) section 2203(1)(B) of this Act (as in effect on the day before the date of the enactment of the Teacher Empowerment Act); and

“(II) section 307 of the Department of Education Appropriations Act, 1999; a State receiving a grant under this subpart shall ensure that the local educational agen-

cy receives under this paragraph an amount equal to such total amount.

“(ii) SOURCE OF FUNDS.—Notwithstanding paragraph (2), a State shall use such portion of the funds described in paragraph (2)(A) as may be necessary to pay to a local educational agency the difference between the agency’s allotment under subparagraph (A) and the allotment to the agency required under clause (i).

Page 9, line 15, strike “A State” and insert “Subject to subparagraph (C), a State”.

Page 9, line 18, strike “(b)(1)(A)” and insert “(b)(1) (or such portion of such amount as remains after satisfaction of the requirements in subparagraphs (A) and (B)(ii) of paragraph (1))”.

Page 9, line 25, strike “high-need”.

Page 10, after line 2, insert the following:

“(C) SUBGRANTS TO ELIGIBLE PARTNERSHIPS.—A State receiving a grant under this subpart shall expend at least 3 percent of the amount described in subparagraph (A) for the purpose of making subgrants to eligible partnerships under subpart 2.

Page 10, line 20, strike “teachers” and insert “teachers, especially in the areas of mathematics and science.”.

Beginning on page 12, strike line 9 through page 13, line 8, and insert the following:

“(f) PUBLIC ACCOUNTABILITY.—

“(1) IN GENERAL.—A State that receives a grant under this subpart—

“(A) in the event the State provides public State report cards on education, shall include in such report cards information on the State’s progress with respect to—

“(i) subject to paragraph (2), improving student academic achievement, as defined by the State;

“(ii) closing academic achievement gaps, as defined by the State, between the groups described in paragraph (2)(A)(i);

“(iii) increasing the percentage of classes in core academic areas taught by fully qualified teachers; and

“(iv) reducing class size; or

“(B) in the event the State provides no such report card, shall publicly report the information described in subparagraph (A) through other means.

“(2) DISAGGREGATED DATA.—The information described in paragraph (1)(A)(i) and section 2013(b)(3)(A) shall be—

“(A) disaggregated—

“(i) by minority and non-minority status and by low-income and non-low-income status; and

“(ii) using assessments consistent with section 1111(b)(3); and

“(B) publicly reported in the form of disaggregated data only when such data are statistically sound.

Beginning on page 13, strike line 22 through page 14, line 13, and insert the following:

“(2) A plan to ensure all teachers within the State are fully qualified not later than December 31, 2003.

“(3) An assurance that the State will require each local educational agency and school receiving funds under this title to publicly report their annual progress on the agency’s and the school’s performance indicators in the following:

“(A) Subject to section 2012(f)(2), improving student academic achievement, as defined by the State.

“(B) Closing academic achievement gaps, as defined by the State, between the groups described in section 2012(f)(2)(A)(i).

“(C) Increasing the percentage of classes in core academic areas taught by fully qualified teachers.

“(4) A description of how the State will hold local educational agencies and schools accountable for making annual gains in meeting the performance indicators described in paragraph (3).

Page 14, line 14, strike “(4)” and insert “(5)”.

Page 15, line 5, strike “(5)” and insert “(6)”.

Page 15, line 20, strike “2012(b)(1)(B),” and insert “2012(c)(2)(C).”.

Page 16, line 2, strike “State.” and insert “State. Not more than 5 percent of the amount made available to an agency to carry out this subpart may be used for planning and administration.”.

Page 18, line 4, strike “provided to” and insert “expended by”.

Page 20, line 16, strike “certified” and insert “fully qualified”.

Page 20, line 17, strike “certified” and insert “fully qualified”.

Page 22, line 12, before “teachers” insert “fully qualified”.

Page 22, line 17, strike “certification;” and insert “certification, especially in the areas of mathematics and science;”.

Page 25, beginning on line 16, strike “highest proportion of out-of-field teachers;” and insert “lowest proportion of fully qualified teachers;”.

Page 27, line 24, strike “2013(b)(2);” and insert “2013(b)(3);”.

Page 28, line 21, strike the period at the end and insert “and, with respect to any professional development program described in subparagraphs (F) and (G) of section 2031(b)(3), shall, if appropriate, be developed with extensive coordination with, and participation of, professionals with expertise in such types of professional development.”.

Page 30, line 10, strike “lack of full certification” and insert “not being fully qualified”.

Page 34, line 23, strike “1999,” and insert “2000.”.

Beginning on page 35, strike line 24 through page 36, line 9.

Page 36, after line 15, insert the following:

**“SEC. 2043. PROFESSIONAL DEVELOPMENT FOR PRINCIPALS AS LEADERS OF SCHOOL REFORM.**

“(a) COMPETITIVE GRANTS.—The Secretary shall award grants on a competitive basis to eligible partnerships—

“(1) consisting of—

“(A) one or more institutions of higher education that provide professional development for principals and other school administrators; and

“(B) one or more local educational agencies; and

“(2) that may include other entities, agencies, or organizations, such as a State educational agency, a State agency for higher education, educational service agencies, or professional organizations of principals and teachers.

“(b) APPLICATION.—

“(1) IN GENERAL.—Any eligible partnership that desires to receive a grant under this section shall submit an application at such time, in such manner, and containing such information as the Secretary may require.

“(2) CONTENTS.—Each such application shall include a description of—

“(A) the activities the partnership will carry out to achieve the purpose of this section;

“(B) how those activities will build on, and be coordinated with, other professional development programs and activities, including activities under title I of this Act and title II of the Higher Education Act of 1965; and

“(C) how principals, teachers, and other interested individuals were involved in developing the application and will be involved in planning and carrying out activities under this section.

“(c) USE OF FUNDS.—An eligible partnership that receives a grant under this section shall use the grant funds to provide professional development to principals and other