

AUTHORITY TO ISSUE WAIVERS

28. The House bill authorizes this program beginning in FY 1999. The Senate amendment begins this authorization in FY 2000. The Senate recedes.

PUBLIC NOTICE AND COMMENT

29. See Notes 14 and 18.

The House recedes with an amendment to insert after "waiver" in line 6 "", including a description of any improved performance of students that is expected to result from the waiver authority or waiver," and to insert after "received" on line 11 "and made available for review by any member of the public."

INCLUDED PROGRAMS

30. The House bill and the Senate amendment are identical except that subsection 4(b)(1) of the Senate amendment excludes the Local Review and School Improvement sections of Title I.

The House recedes. It is the intent of the conferees that, if an LEA has higher standards than the State standard, then locally approved standards may be used for purposes of determining schools in need of improvement or need for corrective action.

WAIVERS NOT AUTHORIZED

31. The Senate amendment specifies that the Secretary and the State may not waive these provisions. The House bill only addresses the Secretary.

The House recedes.

TITLE I WAIVERS

32. The House bill prohibits Title I school eligibility waivers unless they are marginally below the necessary poverty level. The Senate amendment prohibits waivers of Title I rank-order requirements for schools with more than 75% poverty.

The House recedes on Senate language and the Senate recedes on House language with an amendment changing the low-income percentage from within 5 percentage points to 10 percentage points, and clarifying the applicable subsections of section 1113 of Title I, Part A of the Elementary and Secondary Education Act.

TREATMENT OF EXISTING ED-FLEX STATES

33. The House bill protects the authority of current Ed-Flex States by stating that this Act does not apply to them until they apply to renew their authority. The Senate amendment permanently exempts existing Ed-Flex States from being affected by this statute.

The Senate recedes with an amendment which makes clear that the performance of the current 12 Ed-Flex States will be judged, when they re-apply for Ed-Flex status at the end of their current 5 year period, on the basis of section 311(e) of the Goals 2000: Educate America Act. The application itself, must conform to the new requirements of the Education Flexibility Partnership Act. The amendment also provides that, upon enactment of this Act, the 12 existing Ed-Flex States may exercise Ed-Flex waiver authority with respect to the technology programs under subpart 2 of part A of Title III of the Elementary and Secondary Education Act (other than section 3136 of such Act).

RENEWAL

34. The House bill stipulates when renewing Ed-Flex Authority, the Secretary must determine whether SEAs have made measurable progress in accordance with their measurable objectives, as well as whether SEAs demonstrate that LEAs or schools have made measurable progress. The House bill also exempts current Ed-Flex States (see Note 33). The Senate amendment requires the Secretary to review generally the progress of those affected by Ed-Flex authority or waivers towards meeting goals set in local applications.

The Senate recedes with an amendment striking the word "measurable" in (e)(1)(A) and (B) and changing the word "Accountability" in the heading to "Renewal".

35. The House bill, but not the Senate amendment, clarifies that when current Ed-Flex States apply to renew their authority, their progress should be measured in accordance with the terms under which they were granted their authority. However, when their authority expires and they receive renewed authority this law will apply to them.

The Senate recedes. The conferees have addressed renewal for the 12 Ed-Flex States in note 33.

PUBLICATION

36. The Senate amendment, but not the House bill, requires the Secretary to include the rationale for granting a State Ed-Flex authority when publishing notice in the Federal Register.

The House recedes.

EFFECTIVE DATE

37. The House bill, but not the Senate amendment, sunsets this law when ESEA reauthorization is enacted.

The House recedes. The Conferees believe that when the Congress considers the Elementary and Secondary Education Act it will have to take into consideration the changes made to this Act and make whatever changes and adjustments are required to ensure that both laws operate in a coordinated fashion so as to provide as much flexibility as possible to States and local educational agencies.

FLEXIBILITY TO DESIGN CLASS SIZE REDUCTION

38. The Senate amendment, but not the House bill, includes findings stating the impact of fully funding IDEA and amends the 1999 Omnibus Appropriations Act to allow LEAs to use class size reduction funds for IDEA part B.

The Senate recedes with an amendment providing that, if a local educational agency has a class size in grades 1 through 3 of 18 or fewer children, the local educational agency may use the funds made available for class-size reduction under the Department of Education Appropriations Act for fiscal year 1999 for professional development without entering into a consortia.

Currently, a local educational agency that is eligible for amounts less than the starting salary for a teacher must form a consortium in order to receive any class-size reduction funds. Under the conference agreement, such an agency would still have to form a consortium if it does not meet the criteria of having a class size in grades 1 through 3 of 18 or fewer children or if it plans to use the funds to reduce class size. Such an agency would not have to form a consortium if it has a class size in grades 1 through 3 of 18 or fewer children and plans to use the funds for professional development.

In addition, the conferees note that—under current law—any local educational agency that has a class size of 18 or fewer children may use class-size-reduction funds made available to take further class size reductions in grades 1 through 3, to reduce class size in kindergarten, or other grades, or to carry out activities to improve teacher quality—including professional development.

FLEXIBILITY TO DESIGN DROPOUT PREVENTION PROGRAMS

39. The Senate amendment, but not the House bill includes findings stating that fully funding IDEA would free up funds at the local level to develop dropout programs to best address their needs and amends the 1999 Omnibus Appropriations Act to allow LEAs to use class size reduction funds for IDEA part B.

The Senate recedes.

AUTHORIZATION OF APPROPRIATIONS

40. The Senate amendment, but not the House bill authorizes \$150 million in additional funds for IDEA.

The Senate recedes.

FLEXIBILITY TO DEVELOP AFTER SCHOOL PROGRAMS

41. The Senate amendment, but not the House bill includes findings stating that fully funding IDEA would free up funds at the local level to develop after-school programs to best address their needs and amends the 1999 Omnibus Appropriations Act to allow LEAs to use class size reduction funds for IDEA part B.

The Senate recedes.

ADDITIONAL AUTHORIZATION OF APPROPRIATIONS

42. The Senate amendment, but not the House bill, authorizes \$600 million in additional appropriations for IDEA part B.

The Senate recedes.

FLEXIBILITY TO DEVELOP PROGRAMS TO REDUCE SOCIAL PROMOTION AND ESTABLISH SCHOOL ACCOUNTABILITY PROCEDURES

43. The Senate amendment, but not the House bill includes findings stating that fully funding IDEA would free up funds at the local level to develop programs to reduce social promotion, establish school accountability programs or any other programs to best address their needs and amends the 1999 Omnibus Appropriations Act to allow LEAs to use class size reduction funds for IDEA part B.

The Senate recedes.

ALTERNATIVE EDUCATIONAL SETTING

44. The Senate amendment, but not the House bill, includes an amendment to IDEA that subjects a child with a disability to the discipline provisions if they *possess* a weapon at school, in addition to *carrying* a weapon to school (current law) and applies this new provision to conduct occurring not earlier than the date of enactment of this Act.

The House recedes.

FURTHER AUTHORIZATION OF APPROPRIATIONS

45. The Senate amendment, but not the House bill, authorizes \$500 million in additional appropriations for IDEA part B.

The Senate recedes.

BILL GOODLING,
PETER HOEKSTRA,
MICHAEL N. CASTLE,
JAMES GREENWOOD,
MARK SOUDER,
BOB SCHAFFER,

Managers on the Part of the House.

JIM JEFFORDS,
JUDD GREGG,
BILL FRIST,
MIKE DEWINE,
MICHAEL B. ENZI,
TIM HUTCHINSON,
SUSAN COLLINS,
SAM BROWNBAC,
CHUCK HAGEL,
JEFF SESSIONS,
TED KENNEDY,
CHRIS DODD,
TOM HARKIN,
BARBARA A. MIKULSKI,
JEFF BINGAMAN,
PATTY MURRAY,
JACK REED,

Managers on the Part of the Senate.

AMERICA'S TRADE DEFICIT

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, last month's trade deficit hit another record, \$20 billion. One month, \$20 billion. If it keeps up, \$240 billion a year, a quarter of a trillion dollars.

Japan and China are now taking \$10 billion a month out of our economy. Beam me up. It is not going to stop because of our current Tax Code that rewards imports. I say it is time to throw out income taxes, throw out the IRS, and pass the national retail sales tax program. It will reward our exports.

Let us tell it like it is. Our Tax Code stinks so bad, if we sprayed it with Chanel No. 5, it would still smell like the Environmental Protection Agency.

I yield back 400,000 jobs lost last month due to our trade deficit.

LIFE 101 ORGAN DONATION PROGRAM

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, every 18 minutes a new name is added to the list of those who wait for an organ transplant. With the current supply of donors, unfortunately, someone dies every 2 hours and 24 minutes because an organ was not available. These are the grim statistics.

The University of Miami Organ Procurement Organization and the Transplant Foundation of South Florida, however, are doing something to improve these dismal numbers. They have undertaken a donor education program designed to target young audiences, helping them to understand at an early age the need for organ donations and the benefits of transplants.

This program, entitled "Life 101," has been presented at 58 high schools, reaching over 50,000 local area students in Miami-Dade and Broward County in South Florida.

This Friday, "Life 101" will be unveiling its new web site dedicated to providing an exciting and informative forum for students to learn more about organ donations. I encourage America's youth to visit their web site beginning Friday and learn how they can make the difference in the lives of others.

ORANGE COUNTY ONION FARMERS AND DISASTER ASSISTANCE

(Mr. GILMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, in May of last year, New York's Hudson Valley farmers were hard hit by a severe hail-storm that devastated their crops. Particularly impacted were our onion growers.

Already facing difficulties due to a prior storm, our Orange County onion growers found themselves confronted by a new hardship. Their hardship was compounded by a failed Federal Government crop insurance program.

Most of our farmers who had no significant yields as a result of this storm were forced to zero out their crops. And when they applied for crop insurance, they found a cumbersome, poorly managed system that provided absolutely no relief.

Following last year's disaster, Congress passed the Omnibus Appropriations Act of 1999, appropriating \$5.9 billion for emergency assistance. To date, our farmers have not received one penny of these funds, while payments were made shortly after its enactment to dairy, to cotton, to wheat and hog farmers.

The Agriculture Department has not responded to our farmers' needs. Following this storm, starting in February, Secretary Glickman instituted a sign-up period for disaster funding, stating that the delay was due to working out a proper formula.

Mr. Speaker, I urge Secretary Glickman to release these funds immediately to prevent any further delay so that our growers may be able to continue their farming.

THANKS TO OUR SERVICE MEN AND WOMEN

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, just 3 days ago, I was in the war-torn region of Kosovo along with many of our colleagues from the House and Senate.

And, as a veteran of two wars, I know the great sacrifice that our U.S. military men and women are making for our country and for world peace. And I am thankful that I was able to travel to the Kosovo region to personally thank these brave soldiers, sailors, and airmen for their service to our great Nation.

I want to take this opportunity to reinforce my commitment to them in what may very well be the most trying time in their life. I thank them and America thanks them for having the courage to carry out this selfless duty to our country.

From both the Vietnam and Persian Gulf Wars, I am personally and gravely aware of the enormous challenges that these brave men and women face. Having been deployed far away from my family for countless weeks and months, I can relate to the myriad of emotions that these troops and their families must be experiencing during this very traumatic time in the world.

Our prayers and our full support are with them. May God speed and bring each of them home safely and as soon as possible.

STATE OF MONTANA WANTS TO BE PART OF ECONOMIC PROSPERITY

(Mr. HILL of Montana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL of Montana. Mr. Speaker, every day it seems that we get some good economic news: Unemployment is down, incomes are up, the stock market at a new high. But in parts of America that are not doing so well, my colleague from North Dakota often comes to the floor and talks about the increase, the record number of farm bankruptcies in his home State.

My home State of Montana now ranks last in the Nation with average income. Why has rural America been left out of this economic prosperity? Well, it is because our economy relies on agriculture and timber and mining and oil and gas, commodities, and it is because this administration has failed to pursue fair trade policies.

This administration has pursued extreme environmental policies that lock up our public land and our natural resources, and this administration has neglected the importance of international markets.

Mr. Speaker, we do not want to be left out. We want to be part of this prosperous economy, but we need common sense. We need a common sense agriculture policy. We need a common sense environmental policy. We need a common sense trade policy.

Mr. Speaker, bring us into this new economic prosperity.

DOLLARS TO THE CLASSROOM

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, today Senator TIM HUTCHINSON and I introduced the Dollars to the Classroom Act, to benefit schoolchildren and teachers all across this country in our public schools by directing that Federal funding for elementary and secondary education goes directly to classrooms and to teachers where the learning process actually takes place, by restricting how much money can be spent on bureaucracy.

By requiring that 95 cents of every Federal dollar gets into the classroom, the children and teachers of this Nation will see an additional \$870 million out of existing appropriations. That is \$10,000 per school, translating into \$450 for every single classroom in America.

I have with me a check that the Senate and House Members signed earlier today in the amount of \$870 million. We presented this directly to the children.

My colleagues have an opportunity to help bring needed change. Join me and the 127 cosponsors in sponsoring and introducing the Dollars to the Classroom Act today.

TOM LEYDEN, TEXAS PRINCIPAL OF THE YEAR

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to bring special