

Stupak	Trafciant	Waxman
Tanner	Turner	Weiner
Tauscher	Udall (CO)	Wexler
Taylor (MS)	Udall (NM)	Weygand
Thompson (CA)	Velázquez	Wise
Thompson (MS)	Vento	Woolsey
Thurman	Visclosky	Wu
Tierney	Waters	Wynn
Towns	Watt (NC)	

NOT VOTING—19

Archer	Frost	Owens
Becerra	Hinchey	Reyes
Bilbray	Jefferson	Roukema
Capps	Kaptur	Sherman
Coble	McCrery	Taylor (NC)
Conyers	Minge	
Dooley	Ney	

□ 1230

Messrs. GORDON, BISHOP, and ROTHMAN, and Ms. BERKLEY changed their vote from "yea" to "nay."

Mr. LEWIS of California changed his vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. HOSTETTLER. Mr. Speaker, on rollcall vote No. 36, I was unavoidably detained in my congressional district due to weather constraints. Had I been present, I would have voted "yea" on this vote to pass H. Res. 100.

Stated against:

Mr. MINGE. Mr. Speaker, during rollcall vote No. 36, on ordering the previous question providing for consideration of H.R. 800, I was unavoidably detained. Had I been present, I would have voted "nay."

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

DODSON SCHOOL DISTRICTS
IMPACT AID PAYMENTS, 1999

Mr. CASTLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 447) to deem as timely filed, and process for payment, the applications submitted by the Dodson School Districts for certain Impact Aid payments for fiscal year 1999, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore (Mr. SHIMKUS). Is there objection to the request of the gentleman from Delaware?

Mr. KILDEE. Reserving the right to object, Mr. Speaker, and I will not object, I yield to the gentleman from Delaware (Mr. CASTLE) to explain his request.

Mr. CASTLE. Mr. Speaker, I rise today to encourage Members to support S. 447. Although it would be my intention to consider amendments to Impact Aid during the authorization of the Elementary and Secondary Education Act this bill addresses a problem of a more urgent nature.

In filing for 1999 Impact Aid funds, the Dodson Public Schools in Dodson,

Montana, inadvertently forwarded their original application to the National Association of Federally Impacted Schools and not the Department of Education.

The mistake was not discovered until after the filing deadline.

For many school districts, the loss of Impact Aid funds would have minor consequences. This is not the case for Dodson Public Schools. Impact Aid provides a third of the funding for the school district. Without these funds, the school could close and 120 children might have to travel great distances to find alternative education.

This is a small bill with a large impact. I urge my colleagues to pass this legislation, and I believe that the gentleman from Montana (Mr. HILL) will explain it further.

Mr. KILDEE. Further reserving the right to object, Mr. Speaker, I yield to the distinguished gentleman from Montana (Mr. HILL).

Mr. HILL of Montana. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I certainly appreciate the effort of the chairman and the ranking member bringing this measure forward. This bill is designed to solve a funding crisis for the Dodson School District in Dodson, Montana. This is a small, rural community. It has historically provided a quality, progressive education opportunity for a unique bicultural group of students. It is located about 3 miles outside the eastern border of the Fort Belknap Indian Reservation.

The Dodson schools are near closure. What happened is a former administrator sent the application for Impact Aid entitlement to the wrong location, and that would impact about a third of the district's funding. The current law prohibits the Secretary of Education from reconsidering any school that misses that application deadline, making it necessary for the Montana delegation to offer this legislation to correct the problem.

This school is the hub and the life of this community, and the loss of these funds would likely mean the demise of the entire public school system, a system that serves many residents of the Fort Belknap Indian Reservation.

The economic state of Montana's reservation economy is suffering and losing this school district would also have adverse economic impacts. That is the reason the Congress needs to act in this expedited measure.

I would like to thank the House leadership and the Committee on Education and the Workforce for recognizing the importance of these students and I want to thank the gentleman from Pennsylvania (Chairman GOODLING), and the gentleman from Delaware (Mr. CASTLE), the subcommittee chairman, the gentleman from Michigan (Mr. KILDEE), the ranking member, and Majority Leader ARMEY and all

their staff in helping to try to bring this measure.

I rise in strong support of S. 477, legislation designed to solve a funding crisis for the Dodson School District in Dodson, Montana.

The small rural community of Dodson has historically provided quality, progressive educational opportunities for a unique bicultural group of students. The school is located in the tiny community of Dodson, three miles outside the eastern fringe of the Fort Belknap Indian Reservation.

Despite its non-reservation location status, the school's student clientele has consistently comprised of 60% to 70% Assiniboine-Gros Ventre students, few of who live within the town itself. In fact, the majority of the student population commutes from surrounding farms and ranches.

Several of Dodson's students are out-of-district children who reside in Blaine County whose boundaries lie from ten to twenty miles west and south of the community. Their parents request permission from the board of trustees for the privilege of attendance.

Dodson Public Schools are near closure after a former administrator sent the application for Impact Aid Entitlement, which provide approximately one third of the district's funding, to the wrong office. A provision in current law prohibits the Secretary of Education from reconsidering schools that miss the application deadline, making it necessary for the Montana delegation to introduce legislation to correct the problem.

These students are victims of a bureaucratic regulations that should be an easily reconciled mistake. The loss of funds would likely mean the demise of the entire public schools system—a system that serves many residents of the Fort Belknap Indian Reservation. The economic state of Montana's reservations is not well and losing this school district would require many students additional transportation costs and travel of over thirty miles. Additionally, adjoining school districts and local governments would be extremely pressed to pick up the tab for additional education and transportation costs with a much lower revenue share. This is the reason that the Congress should act on this legislation in an expedited nature.

Dodson Public Schools has a total enrollment of 120 students in K-12. In grades K-8, 53% of the total 74 students reside on federal land. In grades 9-12, 31% of the total 46 students reside on federal land. Of the total enrollment, 75% of the students are eligible for our free and reduced lunch program.

Without these funds, the capability of the district to provide continued quality education would be seriously jeopardized. In fact, it is possible that closure would be eminent. Sadly, families would be forced to relocate during the school year to access educational services for their children.

The school is the hub and life of the community. I am please that the House leadership and the Education Committee recognize the importance of swift action for the students in Dodson. The House Committee on Education and Majority Leader ArmeY's staffs have worked diligently to seek the expedited approval of this important legislation. I want to thank the House on behalf of the students and community of Dodson, Montana.

Mr. KILDEE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Delaware?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 447

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. IMPACT AID.

The Secretary of Education shall deem as timely filed, and shall process for payment, an application for a fiscal year 1999 payment under section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) from a local educational agency serving each of the following school districts if the Secretary receives that application not later than 30 days after the date of enactment of this Act:

(1) The Dodson Elementary School District #2, Montana.

(2) The Dodson High School District, Montana.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CASTLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 447.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Delaware?

There was no objection.

EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to House Resolution 100 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 800.

□ 1240

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 800) to provide for education flexibility partnerships, with Mr. PEASE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from Missouri (Mr. CLAY) each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. GOODLING).

Mr. GOODLING. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as I indicated in the Committee on Rules yesterday, the most painful part about sitting for 20 years in the minority on the committee was the fact that I could not get members of the committee to think in terms of quality and unfunded mandates. The emphasis was always on quantity and, therefore, an awful lot of youngsters did not get what we had intended them to get in relationship to a head start as far as education is concerned.

For instance, in Head Start, the first two studies on Head Start, made it very evident that we should be taking corrective action in order to make sure that every Head Start program is a quality one. We waited more than 15 years to ever mention quality in Head Start.

Finally, in the reauthorization in 1994, we did that. In the reauthorization again last year we put special emphasis on quality so every child has a quality program. We have done the same in Title I. We have paid no attention to quality.

Then it became a jobs program. As I also mentioned yesterday, one cannot help an alcoholic unless they first admit they have a problem. One cannot improve education unless one first admits there are problems, and even though the studies have indicated there are problems in all of these programs, we have failed to do anything about it.

Secondly, I want to point out, because we are going to hear this, we ought to do this with ESEA. This is not ESEA legislation. This came about, this legislation, through Goals 2000. Goals 2000, they said, if we are going to improve schools, we need to have flexibility. So 12 States were given that opportunity, and one of my dearest friends will say that, yes, and I offered that amendment and I will say, yes, and it took me 15 or 16 years to get that word "flexibility" into the vocabulary.

So we have lost a lot of time. We cannot afford to lose any more time. Why is it important not to go beyond where we have gone in relationship to standards and assessment? When Goals 2000 was passed, and when they indicated in Goals 2000 that these 12 States would have an opportunity to get waivers so that they would have flexibility to improve their opportunities to offer an ideal education to all students, we said we will give you until the year 2000-2001, the school year 2000-2001, in order to have your assessments in line, in order to have your standards in line. We knew it would take time.

□ 1245

Now, it is interesting, there is not a State of the 12 that would have been eligible had the amendment that some people are talking about been in place at that time. None of the States would

have been eligible of the 12, because they did not have all of those 5 steps in order. One of them at the present time still has 4 of the 5, and she said over and over and over again, we need this flexibility, we need this flexibility. She would not even be eligible the next time to reapply.

So we cannot go back on the word that we gave them when we gave Goals 2000 with the idea that we will give until the school year 2000-2001 to have all the standards and assessments in place.

Now, it is working, folks. It is working. We will hear many, many times how well it is working. So my suggestion is, if it is working in Texas, if it is working in Maryland, why not give all 50 States the same opportunity to provide a better education for all children in that State.

We are going to hear an awful lot of totally inaccurate statements about what the bill does or does not do. So I am going to take a little time to read what the bill does so that even though we are going to hear the statements no matter how many times I read this, I think it is important for the audience who may be out there watching their televisions to know what the bill actually does.

The extension of Ed-Flex authorizes the Secretary of Education to delegate to States the authority to waive certain Federal mandates, certain statutory or regulatory requirements that interfere with States and districts implementing effective education reform plans. The program was originally created because Congress recognized that States are in a better position to judge waiver requests from local school districts. To be eligible, and this is very important, because we are going to hear otherwise; to be eligible, a State must have an approved Title I plan. The Title I plan includes approved content standards, performance measures and assessments. If a State does not have an approved Title I plan, but is making substantial progress, they can be eligible to participate. This is why in the Title I language it was put in that it take effect in the year 2000-2001. If they are making substantial progress toward developing and implementing standards and assessments, they will be eligible for participation. As I said before, none of the 12 would have been eligible had we had the amendment that may be offered later in place.

Of course, it also then says, under this bill, there are certain types of requirements that States cannot waive for local school districts. Requirements relating to maintenance of effort, comparability of services, equitable participation by private pupils and teachers, parental involvement, allocations of funds to States and LEAs, the selection of schools to participate in Title I, Part A, the use of Federal funds to supplement, not supplant.