

Wise  
Wolf  
Woolsey

Wu  
Wynn  
Young (AK)

Young (FL)

# NAYS—12

Barr  
Barton  
Burr  
Campbell

Chenoweth  
Coburn  
DeLay  
Paul

Sanford  
Shadegg  
Stump  
Thornberry

# NOT VOTING—23

Becerra  
Bilbray  
Capps  
Coble  
DeMint  
Dixon  
Frost  
Gephardt

Gordon  
Hinche  
Hostettler  
Kaptur  
Klink  
McCrery  
Miller (FL)  
Minge

Ney  
Reyes  
Roukema  
Sherman  
Smith (NJ)  
Taylor (NC)  
Tiahrt

□ 1114

Mr. KINGSTON changed his vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. TIAHRT. Mr. Speaker, on March 10, I was unavoidably detained and missed rollcall No. 35, the recorded vote on H.R. 540, Nursing Home Resident Protection Amendments. Had I been present I would have voted "yes" on passage.

Mr. MINGE. Mr. Speaker, during rollcall vote No. 35, H.R. 540, Nursing Home Protection Amendments of 1999, I was unavoidably detained. Had I been present, I would have voted "yea."

Mr. DEMINT. Mr. Speaker, on March 10, 1999 I was unavoidably detained and was not present for rollcall vote No. 35. Had I been present, I would have voted "aye."

# PROVIDING FOR CONSIDERATION OF H.R. 800, EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 100 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

# H. RES. 100

*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. 800) to provide for education flexibility partnerships. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII are waived. 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 for a period not to exceed 5 hours. 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 sub-

stitute 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 portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and except pro forma amendments for the purpose of debate. Each amendment printed in the Record may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. 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.

The SPEAKER pro tempore (Mr. GOODLATTE). The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my friend, the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 100 is a modified open rule providing for the consideration of H.R. 800, the Education Flexibility Partnership Act of 1999, better known as the Ed-Flex bill. The rule provides for 1 hour of general debate, equally divided between the chairman and ranking minority member on the Committee on Education and the Workforce.

For the purpose of amendment, the rule makes in order the amendment in the nature of a substitute of the Committee on Education and the Workforce now printed in the bill. The Ed-Flex bill is truly bipartisan legislation which has the support of Republicans and Democrats alike in the House and Senate, as well as the support of all 50 Governors.

Despite the popularity of Ed-Flex, we have witnessed some try to undermine this bipartisan effort by diverting attention away from the Ed-Flex bill to other issues which are clearly outside the scope of this simple bill. For this reason, the Committee on Rules felt it was reasonable to ask Members to preprint their amendments in the CONGRESSIONAL RECORD. The chairman of the Committee on Rules announced this preprinting requirement on Thursday, so all Members have been properly notified of this policy.

In addition, the committee felt that placing a reasonable time limit on the consideration of the Ed-Flex bill would encourage those who have concerns about H.R. 800 to prioritize their amendments and focus on constructive changes, rather than partisan tactics. Therefore, the rule before us contains a 5-hour time limit on the amendment process, which is considerably more generous than the 3-hour time limit requested by the Committee on Education and the Workforce itself.

With the exception of these reasonable parameters designed to focus the debate on the issue at hand, the rule is open, in the tradition of every other rule reported by the Committee on Rules this year. Let me be clear. Any member who has a concern about this legislation may offer any amendment on the floor, as long as it is germane and has been printed in the RECORD.

In addition to the amendment process, the rule provides a final opportunity for the minority to make changes to the bill through a motion to recommit, with or without instructions.

Further, in the interest of facilitating consideration of this popular bill by the House, the rule waives clause 4(a) of rule XIII, requiring a 3-day layover of the committee report. And, for the convenience of Members, the rule allows the chairman of the Committee of the Whole to postpone votes and reduce voting time to 5 minutes, as long as the postponed vote follows a 15-minute vote.

Mr. Speaker, all Americans agree that the education of our Nation's children must be a top priority. Education is the foundation on which the future of our country rests. While many of our community schools are shining examples of success, others are miserably failing in their attempts to teach even the most basic skills to our young students.

Unfortunately, there is no magic pill that we can give our neediest schools to bring them up to par, but the very least we can do is to remove some of the obstructions which are blocking their path to improvement.

The fact is that the Federal Government has a stranglehold on our local schools, and the Ed-Flex bill loosens the government's grip. By easing the burden of Federal regulation and clearing away the red tape, Ed-Flex allows States to pursue effective school reform. The Ed-Flex program is founded on the principle of trust, trust in our State and local leaders, who we believe will make good choices for their communities.

Currently, 12 States are participating in the existing Ed-Flex demonstration program, including my own State of Ohio. The positive results in Ohio and 11 other States strongly suggest that we extend this program to all 50 States.

Through the Ed-Flex program, Ohio has been able to apply the good intentions of Federal education policies to

more children. For example, Ohio has enabled more schools to use Federal dollars to implement schoolwide programs. Schoolwide programs go beyond helping at-risk children and utilize resources to improve the scholastic skills of all students.

In addition, Ohio has used Ed-Flex to expand its use of Eisenhower Professional Development Grants, which are designed for math and science teacher training. In Ohio, if a school has met its math and science training requirements, it can use unexpended Eisenhower funds to provide training in other areas, such as reading.

These commonsense reforms have helped Ohio to realize tangible improvements in the education of our children. Last year, Ohio exceeded two benchmarks for student performance in both reading and writing. Yet, while Ohio moves ahead, other States continue to be mired in Federal rules and regulations that stunt forward progress. That is why it is so important that we pass the Education Flexibility Partnership Act, to give all 50 States the opportunity to maximize resources to educate students.

Not only will Ed-Flex help our States in their efforts to improve student performance, it will help Congress assess what Federal education policies are burdening States and need to be revamped. This information will be crucial as we work on the reauthorization of the Elementary and Secondary Education Act later this year.

I think some of my colleagues will speak to their concerns about accountability during this debate, but it is not fair to give the impression that we are handing out money and turning our heads the other way. The Ed-Flex program does not simply dissolve Federal education law. In fact, there are strings attached to the flexibility we are offering to the States through this legislation.

To be eligible for Ed-Flex, States must develop and implement a Title I plan, which includes education content standards, student performance standards, and a means of assessing school progress. In addition, States must have an accountability system in place to hold localities and schools responsible for meeting their education goals.

We are asking for a credible education plan, and then trusting the State and local officials to make good decisions for their communities. After all, they are the people who live in those communities, know the citizens, and work in the local school systems every day. Let us not take the "flex" out of Ed-Flex by erecting additional hoops and hurdles under the guise of accountability.

In closing, Mr. Speaker, I would urge my colleagues to support this fair and balanced resolution, as well as the underlying legislation which will move us toward the shared goal of commonsense education reform. All of our 50 Governors have asked us to pass this bill, and our schools and children will be better for it.

Let us move forward together in the spirit of bipartisanship. I urge all my colleagues to vote yes on both the rule and the Education Flexibility Partnership Act.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, the snow blanketing the ground outside is enough to make us think fondly of baseball spring training which is being conducted in summer climes over the South and West. The spring training analogy seems appropriate for this rule which is governing the consideration of H.R. 800, the Education Flexibility Partnership Act.

We have been in session for about 2 months, and we have seen a procession of open rules on legislation which, frankly, would have been well received by the Suspension Calendar. Today the House ends its legislative spring training and begins its regular season with a significant initiative on education.

The first pitch from my friends on the other side of the aisle is a fast ball under the chin, an unnecessarily restrictive rule severely limiting amendments and debate. By clinging to its insistence on preprinting amendments in the CONGRESSIONAL RECORD, the majority on the committee is trying to pitch a shutout against Members who have had, previously, precious little time to consider a bill which was reported by the committee of jurisdiction only 2 days ago, and Members have had to contend with that snowstorm that hardly let them into town.

As a result of a party line vote on the Committee on Rules, the rule House Resolution 100 swings and misses by capping debate time at 5 hours, and including under that cap the time it takes to vote on amendments. Mr. Speaker, we are talking about educating our children and preparing them for the game of life. We should spend not 5 hours but 5 days, if necessary, to ensure that we are doing right by them.

Last year, Congress took a significant step toward achieving the goal of hiring 100,000 new teachers over the next 7 years to help local districts reduce class size in the early grades. Thanks to the party line vote by the majority, House Resolution 100 commits a crucial error by refusing to make in order the amendment offered by the gentleman from Missouri (Mr. CLAY) and the gentleman from Oregon (Mr. WU) that would authorize the remainder of our commitment to hire 100,000 new teachers, to reduce class size, and improve the learning environment.

□ 1130

Mr. Speaker, our Nation's Federal elementary and secondary education pro-

grams are set to expire, and the reauthorization of these policies is one of the most important tasks any Congress will face. Some Members might argue the need to weigh statutory and regulatory provisions before we even begin to define what those provisions should be.

Our side of the aisle will seek to advance amendments which address our concerns that the underlying bill is weak on accountability and strong on rhetoric.

It is imperative that any law that weighs the Federal Government's longstanding commitment to our Nation's most disadvantaged students contain a viable plan for how student achievement will be assessed.

Of particular concern are the students who benefit from the Title I funding. This provision has been successful at ensuring that the Title I funds are not spread too thin but go to the districts that really need them.

By waiving this requirement, schools with small percentages of poor children will be able to implement a schoolwide program, thereby neglecting the special needs of the economically disadvantaged students in that school.

Mr. Speaker, this is legislation which could be improved, and I urge Members to vote against this rule so that we might do just that.

Mr. Speaker, I reserve the balance of my time.

Ms. PRYCE of Ohio. Mr. Speaker, I am pleased to yield such time as he might consume to the gentleman from Texas (Mr. SESSIONS), a member of the Committee on Rules.

Mr. SESSIONS. Mr. Speaker, I thank the gentlewoman from Ohio for yielding me this time.

Mr. Speaker, I rise today in strong support of this fair rule for H.R. 800, the Ed-Flex Partnership Act of 1999. Current law authorizes 12 States under pilot programs to participate in the Education Flexibility Partner Demonstration Program called Ed-Flex.

Ed-Flex States enjoy greater State and local flexibility in determining how to use Federal education funds. H.R. 800 is a bill which will expand the program to give all 50 States the option to apply for Ed-Flex. In short, Ed-Flex increases local control, reduces government red tape, and promotes flexibility with accountability.

My State, Texas, was one of the first States to win Ed-Flex status. Since January of 1996, Texans have incorporated the flexibility granted under Ed-Flex for statewide, comprehensive reform programs centered around local control and accountability for results.

Governor George W. Bush eagerly sought Ed-Flex status and has worked with local educators for the authority to design programs which meet and address local need. Texas also has implemented a system which ensures that there is accountability with concrete results in return for this increased flexibility. As Governor Bush said, "Texans can run Texas." I believe that

each of my colleagues would feel the same way about their respective States and their districts.

Although there is still room for improvement, tremendous gains in performance can be documented for students in Texas. In a State with students of diverse ethnicities and socioeconomic statuses, the across-the-board improvement in student performance is, indeed, something that we should be proud of.

Yesterday, during testimony before the Committee on Rules, the gentleman from Delaware (Mr. CASTLE), former Governor and now current U.S. Congressman, indicated that all 50 Governors are in favor of receiving this Ed-Flex status.

This simply is a bill that allows all 50 States to do what they believe is necessary to run their own programs in their own States. I believe it is an admission that the one-size-fits-all rule-making bureaucracy in Washington, D.C. is broken. Republicans trust local school boards, not Washington bureaucrats.

What works in my home district in Dallas, Texas is not necessarily the most effective program for a school district here in the Washington, D.C. area, in Northern Virginia, or in Maryland.

The combination of Ed-Flex and an effective accountability program allows all States to focus on a foundation, a curriculum that features English language, mathematics, science, social studies, geography, and government.

I am proud of the improvements which have come about as a result of Ed-Flex; flexibility with accountability. This program is good for everyone who has an opportunity to participate.

Today, we are talking about this rule that would allow the opportunity to debate how States are going to utilize their own education programs. I will tell my colleagues that there are others on the other side who want to debate about putting more rules and regulations and dollars to this equation.

But the bottom line is that what we have got to do is to give local school districts, local States those controls, not tell them how to do things, and not put dollars out there which would drive them to the decision making that Washington would like to make instead of what they would like to make locally. I stand in support of this rule.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. Mr. Speaker, during our appearance before the Committee on Rules yesterday, the gentleman from Oregon (Mr. WU) and I asked that our class size reduction amendment be made in order. Unfortunately, the committee failed to do so.

This restrictive rule that was reported now makes it necessary to defeat the previous question in order for our class size reduction amendment to even be considered.

Our amendment would establish a 6-year authorization for the Clinton-Clay-Wu class size reduction initiative. This would build on the 1-year, \$1.2 billion down payment on the initiative that was included in last year's Omnibus Appropriations Act. That funding, however, will only support the hiring of 30,000 teachers for the 1999-2000 school year.

Now it is time, Mr. Speaker, to lock in the remainder of the funding so that school districts across America can count on receiving the full complement of 100,000 teachers needed to achieve the initiatives goal.

Mr. Speaker, some critics, without evidence or documentation, continue to boisterously shout that the 30,000 teachers will be unqualified to teach. This is a sad commentary for those who prefer to build prisons than to build schools and to hire guards than to hire teachers.

Mr. Speaker, the goal of the Clinton-Clay-Wu class size reduction initiative is to help schools improve student achievement by adding additional highly qualified teachers to the work force to ensure that class size is reduced to not more than 18 children per class in the early grades.

Mr. Speaker, this will ensure that every child receives a teacher's personal attention, gets a solid foundation for further learning, and is prepared to read independently by the end of the third grade.

Ample research demonstrates that reducing class size boosts student achievement considerably. The Department the Education data shows that students in smaller classes in North Carolina, Wisconsin, Indiana, and Tennessee outperform their counterparts in larger classes. A study in Tennessee's project STAR found that students in smaller classes in grades K through 3 earn much higher scores on basic skill tests.

Based on this solid record of achievement, the Clinton-Clay-Wu class size reduction initiative should be expanded by granting it a full 7-year authorization to ensure class size reduction in grades K through 3 to an average of just 18 students.

Mr. Speaker, I urge the Members to support this effort, to defeat the previous question, and allow a vote on the Clinton-Clay-Wu class size reduction amendment.

Ms. PRYCE of Ohio. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Pennsylvania (Mr. GOODLING), my good friend, the chairman of the Committee on Education and the Workforce.

(Mr. GOODLING asked and was given permission to revise and extend his remarks.)

Mr. GOODLING. Mr. Speaker, I just want to point out some interesting statistics. There are 16,000 school districts in the United States. If we say there are seven schools to each one of those school districts, that gives us about 112,000 schools. That gives us less than one teacher per school.

Of course highly qualified was mentioned. California's great experience has been they spent \$1 billion last year. They are going to spend \$1.2 billion this year for their 23,000 teachers.

Now what happened with those 23,000 teachers? Of course they could not get a lot of qualified teachers. So the poorer school districts who need the best teachers, what did they get? Totally unqualified people in the classroom.

So I just wanted to point out that what we are talking about here when we talk about 100,000 for 16,000 school districts and 112,000 schools minimum, it is less than one per school.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, I thank the gentlewoman for yielding the time. The Ed-Flex bill certainly has many features in it. The issue is not whether we are for that or against it, but it is that there are other important issues to make it better.

Last week, all of the school systems were reporting out how their schools fared in the fourth grade and whether it went up. Indeed, as the gentleman from Pennsylvania (Chairman GOODLING) indicated, California did not do so well. But I suspect their investment in teachers is not to be pooh-poohed to suggest that we should not do it.

Certainly we need that 100,000 teachers more that the President has indicated and the gentleman from Missouri (Mr. CLAY) has indicated and that the gentleman from Oregon (Mr. WU) has tried to put before the Committee on Rules, and they ruled that it would be a nongermane amendment. It is not nongermane to education. Good teachers indeed are essential just as good doctors are good for health, just as good engineers are for constructing buildings.

I cannot conceive that one would think that putting 100,000 teachers, although that is not sufficient to speak to all the schools, would not be an appropriate action, and we would not embrace it where the American people want it.

So voting for Ed-Flex is indeed a good thing. But this amendment, however, this rule that does not allow germane amendments is the wrong thing.

So I urge my colleagues to vote against the rule because we can go back to the Committee on Rules, make that amendment in order, so indeed we can have more teachers, more qualified teachers. The assumption that we want to have anything other than qualified teachers again escapes me as any rational approach to improve the education system.

So having 100,000 teachers is germane to reducing the classes. Reducing the classes is germane indeed to having quality education. Quality education is indeed what all America wants for their families.

To suggest that every Governor wants this Ed-Flex, I mean, I do not understand why they would not want

it. But also to suggest that they would not want 100,000 teachers again is absurd. They want more teachers, qualified teachers, because they understand that teachers are essential, qualified teachers are essential in the mix if indeed we are to have quality education.

Mr. Speaker, I want to join with my colleagues, Representatives CLAY and WU in opposing this rule—a rule that does not permit an amendment I have filed to be considered.

My amendment would have given States the flexibility to hire more teachers to help reduce class sizes.

While we passed class size reduction legislation in the last Congress, the appropriation was only for one year, and not the full seven year program we had proposed.

Consequently, school districts across the country are unable to plan long-term for class size reduction because they do not know whether there will be funding for the new teachers beyond the one year.

My amendment would have made clear that the funding for these teachers was for the full seven years.

Mr. Speaker, schools across the Nation are struggling because student enrollments are dramatically increasing.

Evidence demonstrates that there is a direct correlation between class size and learning ability.

Students in smaller classes, especially in early grades, make greater educational gains.

More importantly, they maintain those gains over time.

Smaller classes are most advantageous for poor, minority, and rural community children.

However, all children will benefit from smaller classes.

Class size reduction funds for seven years will help States and local school districts recruit, train, and hire 100,000 additional, well-prepared teachers in order to reduce the average class size to 18 in grades 1 through 3.

We need more teachers.

It is so critical to maintaining and improving our education system.

Education is the key to the future.

In some parts of the country and in my State, classroom sizes are as high as 36 students—much too large for a teacher to provide individualized attention.

This is especially troubling when the students are in their early developmental stages—grades one through three.

Because 90 percent of our children attend public schools, we must strengthen and improve those schools.

Across the Nation, we have an all-time record school enrollment of 52.2 million students today.

The strain on school systems and the impact on learning will be felt for years to come.

I urge defeat of this rule and support for a rule that would allow an amendment to continue our commitment to reducing class sizes.

Ms. PRYCE of Ohio. Mr. Speaker, it is my honor to yield as much time as he may consume to the gentleman from California (Mr. DREIER), chairman of the Committee on Rules.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule, and I would like to congratulate the gentlewoman

from Columbus, Ohio (Ms. PRYCE) and the gentleman from Dallas, Texas (Mr. SESSIONS) who made a very eloquent statement earlier about this issue.

This is a bipartisan goal that we have. As the gentleman from Texas (Mr. SESSIONS) said, all 50 Governors want to have this kind of flexibility. We have Democrats and Republicans alike supporting this. We have the President saying that he wants to sign this measure. Yet, based on what we have witnessed over the last several days, our distinguished colleagues in the other body on the other side of the aisle have decided to totally politicize this and claim that we are not in fact doing the things that the American people want us to do.

Unfortunately, we are seeing this same sort of issue come to the forefront here. This is a modified open rule. No matter what my colleagues try to call it, it is a modified open rule. It is modified so that we do not get to the point where we see complete politicization of a bipartisan issue.

□ 1145

Now, every germane amendment is in order, and we have, in fact, had over 20 amendments that have been filed. The gentleman from Pennsylvania (Mr. GOODLING) is very ably going to deal with those amendments, and I think that this is clearly the right thing for us to do.

As we look at the kinds of constraints that Washington has heretofore imposed on States, it is amazing that there are 14,000 Federal administrators in State agencies that are creating 50 million hours of work. The bipartisan goal here, again, is to try to provide at least a modicum of relief.

All of us like the idea of increasing the number of teachers in schools. No one is opposed to that. And the funding for that has already been provided in the omnibus appropriations bill that was put into place and passed last year. But the authorization of that will be handled during the Elementary and Secondary Education Act consideration. And, again, the Committee on Education and the Workforce will deal with that. This is not the place to do it, and that is why we did not provide waivers to make a nongermane amendment in order.

Now, some have also raised questions, I know, about the 5-hour cap on the time. The request of the committee was that we have a 3-hour outside time limit, and we expanded that to 5 hours. It seems to me that that is the right thing to do.

My very good friend from South Boston, in conversations we have had, raised concerns about the snowstorm. I realize that that has created a challenge for more than a few Members on both sides of the aisle. But as the gentlewoman from Ohio (Ms. PRYCE) said in her opening statement, I announced last Thursday that we would quite possibly have a preprinting requirement in this measure. And we do have amazing

technology today. It is known as the web. We communicate through e-mail. And a "Dear Colleague" letter went out informing Members of the fact that we were most likely going to be doing this. And so we had a litany of amendments that were filed, and every single germane amendment is, in fact, in order.

So this does continue our pattern of very fair rules, and I believe it does give every Member the opportunity to participate in debate. I am proud of the rule, and I urge my colleagues to support it.

Ms. SLAUGHTER. Mr. Speaker, I yield 6 minutes to the gentleman from Indiana (Mr. ROEMER).

(Mr. ROEMER asked and was given permission to revise and extend his remarks.)

Mr. ROEMER. Mr. Speaker, I thank my good friend, the gentlewoman from New York (Ms. SLAUGHTER) for yielding me this time.

Mr. CLAY. Mr. Speaker, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from Missouri.

Mr. CLAY. Mr. Speaker, I thank the gentleman for yielding.

I just want to correct a statement made by the chairman of the full committee. There are not 112,000 public elementary schools in this country. There are only 61,000. And the money from this bill will be targeted for grades K through 3.

So we are not talking about 112,000 schools that this money will go to.

Mr. ROEMER. Mr. Speaker, reclaiming my time, I would like to first of all thank the gentleman from Delaware (Mr. CASTLE), my Republican colleague who joined with me in crafting this legislation 8 months ago. The gentleman from Delaware and I have worked very hard in a bipartisan Democrat-Republican way of trying to get this legislation brought before this body, and I am honored that we have it here before the entire 435 Members here this morning.

I also want to say that this is bipartisan legislation not only in that a Democrat and Republican have drafted it, but that the President of the United States has indicated to the National Governors' Association that he strongly supports it; that 50 governors, many Democrats and Republicans and independents, all support this legislation.

I do want to reflect on the debate about this rule and the 5 hours on this rule. I think what our ranking member the gentlewoman from New York (Ms. SLAUGHTER) said, using the baseball analogy, is absolutely accurate. We are in the first inning on education here, and I think that the gentlewoman's statement to the Republicans who run the Committee on Rules is a fair one.

If we are going to debate Ed-Flex, and I have worked very hard on it for 8 months, I would hope that the Committee on Rules would come forward with five more bills over the next 5 and 6 and 7 months to adequately discuss the quality of teachers in this country;

to adequately discuss, with floor time, school construction and the bonding issue and the safety in our schools, of ceilings falling down on children; to adequately discuss after-school programs; to adequately discuss the role that the Chicago public schools in reform is playing as a role model for other public schools.

We could discuss and work in a bipartisan way, and I hope we do. I worry that we might not, but I hope we do. I hope we do not emulate what the Senate is mired down in. I hope we will work together in a host of these different areas over the ensuing 20 months.

Now, what brings us to this legislation today? Abraham Lincoln, I think, said it very, very well 130 years ago. He said, "Every American son and daughter, to the best that the rules and the laws can avail it, is entitled to a fair start in the race of life." A fair start in the race of life for every American son and daughter.

When we look at our public school system, we have some great schools and great teachers, and we have some schools that are not performing well enough for so many of our children. This Congress needs to come together, with Democrats and Republicans working together on fair rules and new legislation, to address the number one issue in America today: reforming and boldly improving public education.

This Ed-Flex bill is an old value and a new idea. The old value is local control. It is embracing the concept of teachers and parents and local communities controlling what goes on in our schools. And the new idea is flexibility. The status quo has not worked, so we are not giving out reams of paperwork and all kinds of data that the schools have to send back to Washington, D.C. We will not handcuff the schools with new regulations, but we have a rope, not a string of accountability, but a rope of accountability tied to student performance. And that is a strong rope.

How did we get here? Well, we looked at 12 States, 12 States that have had this program, this flexibility, for 4½ years. States like Texas and Maryland and Ohio are doing a very good job with this program, and we will talk more about their success. If the other 38 States can live up to the eligibility and assessment requirements that we outline in this bill, that are tougher than current law for eligibility and assessment, tougher than current law, then the other States will be eligible.

Finally, there is a very, very sensitive nexus coming together here, a sensitive synergy between sensibility and between accountability. We think we have worked hard for the last 8 months for an old value, a new idea, a third way of coming together to change the status quo and to boldly and creatively reform our public education system. I hope that my colleagues will support this legislation.

Mr. Speaker, I thank the gentlewoman from New York for yielding me such a generous amount of time.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Sanibel Island, Florida (Mr. GOSS), a member of the Committee on Rules.

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I thank my friend, the gentlewoman from Columbus, Ohio (Ms. PRYCE) for yielding me this time, and I rise in support of this fair, modified open rule. This is a very targeted bipartisan bill, and this rule provides ample opportunity for debate and amendment. It is not all there is to be said on the subject of education, but it is a very excellent place to start on a targeted basis.

The Education Flexibility Partnership Act of 1999, or Ed-Flex as we call it, is a step towards local control, away from the dictates of Washington. We all know education is a priority interest in our Nation today. It needs to be. We are not doing as well as we need to be. But education is not about what Washington does. It is about teaching students. It is about students learning. Ed-Flex will empower our school districts with the ability to undertake more effective and innovative reform measures and do what works best for them in their schools.

For too long schools districts have had to operate within the confines of Federal programs, which often act as an obstruction, despite our best intentions here, but an obstruction rather than an aid. While I would prefer to remove these restrictions all together, providing a waiver process for all States is at least an incremental step in the right direction. Ed-Flex will extend to all 50 States the option to waive certain Federal and State regulations in exchange for increased accountability and results. Accountability. That is what Americans are asking for.

It seems to me that the best people to determine what our kids need are not Federal bureaucrats but the folks down at the district level who are directly accountable to parents and involved at the front lines. During the past 3 decades, Washington has attempted to micromanage our schools, without very much success, it seems.

There is a role for the Federal Government to play in public education, I agree, but it must be very balanced and it must be very careful. Ed-Flex will give our local districts the opportunity to make the most of Federal and State resources by giving them the freedom to tailor existing Federal programs to the specific needs of their students.

At the same time, we do not have to exchange flexibility for accountability. States that wish to participate will have to provide clear achievement objectives and then produce solid academic outcomes. We remove the red tape, not the accountability in this piece of legislation.

I am encouraged by the results of the States that are already participating in Ed-Flex, particularly for the poor

and disadvantaged students. Something is working here. It is my hope that we will agree to extend this opportunity for success to all our schools and to all Americans. They deserve it.

There is a wide variety of opinion and debate on education, and there will certainly be times when Republicans and Democrats, liberals and conservatives have legitimate disagreements. This should not be one of those times.

We have a good rule today to get this issue on the floor and to get this matter underway so it is available to our students sooner rather than later. Other issues, that obviously we wish to address, we have assurances from the gentleman from Pennsylvania (Mr. GOODLING) that he will be bringing them forward, and we look forward to those as well.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding me this time.

As my colleagues know, I am a co-sponsor of Ed-Flex. I support Ed-Flex because it provides local school districts with flexibility and freedom from unnecessary Federal regulation.

I also believe in assisting schools and school districts so that they have the resources to exercise that flexibility. Real flexibility, not the illusion of flexibility. That is why the gentleman from Missouri (Mr. CLAY) and I are offering our amendment to the Ed-Flex bill. Basically, to put more education into Ed-Flex.

Our amendment will establish an additional 6-year authorization to reduce class size by hiring 100,000 qualified teachers. Last year Congress made a downpayment on the administration's plan to hire 100,000 new teachers over a period of 7 years in order to reduce average class size to 18 students in grades 1 through 3. But that was only a downpayment.

Unfortunately, the leadership of this House, when it comes time to provide for the remaining 6 years of class size reduction, is leaving school districts and education boards across America in budgetary limbo. They engage in the politics of parliamentary maneuver rather than passing this urgent priority. They employ the tactics of obstruction rather than the healing of true bipartisanship.

To borrow a phrase from Martin Luther King, Jr., "When the children of America come back to this House to redeem our promissory note for a good education," the House leadership would stamp it 'insufficient funds.' Smaller classes improve classroom discipline and order.

Smaller classes promote quality learning time. Smaller classes improve student performance. We all know that. But as we debate, schools across America are drawing up budgets for next year. They are determining the quality of education that our children will have for that year. These young

children will have only one pass at getting a first-rate education. They will have only one chance to go through first grade. They will only have one chance to go through second grade. They will have only one chance to go through third grade. A year lost in a child's life is a year lost forever. While we are debating parliamentary procedure, they are losing their chance for a better education.

□ 1200

So when America's schoolchildren come to redeem our promise, let us make good on it. I urge my colleagues to vote now for smaller class size, before we spend any more of our children's precious and irreplaceable time. I urge my colleagues to vote no against the leadership's parliamentary blockade. I urge my colleagues to vote yes in favor of our children. Let us have a full and fair debate on class size reduction today.

Ms. PRYCE of Ohio. Mr. Speaker, I yield such time as he may consume to the gentleman from Delaware (Mr. CASTLE), the chairman of the subcommittee and coauthor of this bill along with the gentleman from Indiana (Mr. ROEMER).

Mr. CASTLE. Let me start, Mr. Speaker, by thanking the gentlewoman from Ohio for yielding me this time and for the opportunity to debate this bill. I would also like to thank all the staff that has worked very hard on this bill. We have done it under a fairly intense schedule. We are pleased to have it to the floor today. The gentleman from Pennsylvania (Mr. GOODLING) has eased the way to this in so many ways, and we are very appreciative of that. Of course my fellow cosponsor, the gentleman from Indiana (Mr. ROEMER) whose words I listened to very carefully and with which I agree. I am sure the gentleman from Michigan (Mr. KILDEE) probably feels this way, too, but if we debated education every week, I would be happy here and if we cannot bring these issues up today, perhaps we could bring them up some other time. The bottom line is that it is very important to all of us.

I have never been one of those who believes that Republicans are totally right in education and Democrats are totally wrong on education. It is my belief that virtually everybody in this Chamber would like to improve the education of our young people in this country. My view is that this piece of legislation, which I think has been a little bit overemphasized as being more complex than it is, this bill of education flexibility, is a relatively simple measure by which we are giving to the States and the local districts the ability to work together so that when some Federal programs come up which have complexities or have administrative problems or paperwork problems, they can step in and make decisions as to how to manage it differently. That is what it is really all about. That is why all 50 governors, remember, two of

them are Independents, the rest are Democrats and Republicans, that is why all 50 governors in this country support it as it is. And it is why most of the education groups in this country support it as it is.

Now, we have heard discussions today about more teachers. That is a legitimate discussion. We already, by the way, supply a lot of teachers under title I at the Federal level which some people do not realize, but in terms of more teachers, yes, that is a discussion that we should have. I frankly do not think it should be on this bill. It truly is not germane to this simple bill that everybody wants to get passed that really has nothing to do with this in particular. It has something to do with education, sure, and we will do that on an appropriation bill or on the Elementary and Secondary Education Act.

The same thing with title I, to help disadvantaged students, particularly lower income students. Again, I have a tremendous amount of sympathy for that. The reason I like the ed flex bill is it has probably been the first measure in the 12 States which have done this as a pilot project in which we have seen true measurable improvement in title I outcomes. That has happened in Texas and Maryland. That is a wonderful bottom line that I think that we need to focus on and to make part of the ed flex package as we send it on to the President of the United States.

There is an amendment for after-school programs. I am one who is advocating after-school programs, but unfortunately this is not the place for that. So we are dealing with a relatively simple bill.

I cannot tell you what happened in the Senate. I mean, it is all tangled up there. It is too bad that it is. We are dealing with a bill which helps the people we want to help, the children of our country, and gives them a greater opportunity in terms of their education. It is and should be a clean, stand-alone education flexibility bill.

I was just on a conference call with some governors. They repeated that. They want maximum flexibility. We have 23 amendments. We are going to work out two or three or four of them. But frankly a lot of the others are restrictive in their nature. Instead of introducing flexibility, they are trying to remove areas from flexibility and trying to remove from the local school districts and the States the ability to carry out educating kids as best they can. My view is that while these in some instances are perfectly good, in most cases they do not apply here. I hope we would all pay attention to that.

I think the rule is fair. It did give 5 hours to debate all of these amendments, some of which are duplicative, anyhow, and they had to be published in advance. That is fine. We know what they are. I think it is a rule which we should all be able to support. But I do not want this day to be divisive. I want us to go out of here with this bill

passed at 6 o'clock tonight or whatever the heck it is going to be, having said together that we did something good for the children of America. That is what this bill is all about. Yes, we will debate all these amendments, but I hope when it is all said and done we will continue to pull together as Republicans and Democrats for the children of the country.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge Members to vote against the previous question. If the previous question is defeated, I will offer an amendment to the rule that will make in order an amendment offered in the Committee on Rules by the gentleman from Missouri (Mr. CLAY) and the gentleman from Oregon (Mr. WU). This amendment will provide funding to schools to help hire new teachers and reduce classroom size for grades one through three.

Virtually all experts in the field of education agree that one of the single most important things that we can do to improve the education of our children is to reduce classroom size. This amendment will help schools do just that. Vote "no" on the previous question so that we can consider this worthy legislative initiative.

Mr. Speaker, I include the text of the amendment and extraneous materials for the RECORD.

PREVIOUS QUESTIONS FOR RULES ON H.R. 800, THE EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

At the end of the resolution add the following new section:

"SEC. . Notwithstanding any other provision of this resolution, it shall be in order without intervention of any point of order to consider the following amendment by Representative Clay of Missouri or Representative Wu of Oregon. The amendment shall be considered as read, shall be debatable for 60 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question. The previous question shall be considered as ordered on the amendments."

At the end of the bill (H.R. 800, as reported) add the following:

#### SEC. 5. CLASS SIZE REDUCTION.

Title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.) is amended by adding at the end the following:

#### "PART E—CLASS SIZE REDUCTION

##### "SEC. 6601. SHORT TITLE.

"This part may be cited as the 'Class Size Reduction Act of 1999'.

##### "SEC. 6602. FINDINGS.

"Congress finds as follows:

"(1) Rigorous research has shown that students attending small classes in the early grades make more rapid educational progress than students in larger classes, and that these achievement gains persist through at least the elementary grades.

"(2) The benefits of smaller classes are greatest for lower achieving, minority, poor, and inner-city children. One study found that urban fourth-graders in smaller-than-average classes were  $\frac{3}{4}$  of a school year ahead of their counterparts in larger-than-average classes.

“(3) Teachers in small classes can provide students with more individualized attention, spend more time on instruction and less on other tasks, cover more material effectively, and are better able to work with parents to further their children’s education.

“(4) Smaller classes allow teachers to identify and work more effectively with students who have learning disabilities and, potentially, can reduce those students’ need for special education services in the later grades.

“(5) Students in smaller classes are able to become more actively engaged in learning than their peers in large classes.

“(6) Efforts to improve educational achievement by reducing class sizes in the early grades are likely to be more successful if—

“(A) well-prepared teachers are hired and appropriately assigned to fill additional classroom positions; and

“(B) teachers receive intensive, continuing training in working effectively in smaller classroom settings.

“(7) Several States have begun a serious effort to reduce class sizes in the early elementary grades, but these actions may be impeded by financial limitations or difficulties in hiring well-prepared teachers.

“(8) The Federal Government can assist in this effort by providing funding for class-size reductions in grades 1 through 3, and by helping to ensure that the new teachers brought into the classroom are well prepared.

#### **“SEC. 6603. PURPOSE.**

“The purpose of this part is to help States and local educational agencies recruit, train, and hire 100,000 additional teachers over a 7-year period in order to—

“(1) reduce class sizes nationally, in grades 1 through 3, to an average of 18 students per classroom; and

“(2) improve teaching in the early grades so that all students can learn to read independently and well by the end of the third grade.

#### **“SEC. 6604. PROGRAM AUTHORIZED.**

“(a) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this part, there are authorized to be appropriated, \$1,400,000,000 for fiscal year 2000, \$1,500,000,000 for fiscal year 2001, \$1,700,000,000 for fiscal year 2002, \$1,735,000,000 for fiscal year 2003, \$2,300,000,000 for fiscal year 2004, and \$2,800,000,000 for fiscal year 2005.

“(b) ALLOTMENTS.—

“(1) IN GENERAL.—From the amount appropriated under subsection (a) for a fiscal year the Secretary—

“(A) shall make a total of 1 percent available to the Secretary of the Interior (on behalf of the Bureau of Indian Affairs) and the outlying areas for activities that meet the purpose of this part; and

“(B) shall allot to each State the same percentage of the remaining funds as the percentage it received of funds allocated to States for the previous fiscal year under section 1122 or section 2202(b), whichever percentage is greater, except that such allotments shall be ratably decreased as necessary.

“(2) DEFINITION OF STATE.—In this part the term ‘State’ means each of the several States of the United States, the District of Columbia and the Commonwealth of Puerto Rico.

“(c) WITHIN STATE DISTRIBUTION.—

“(1) IN GENERAL.—Each State that receives an allotment under this section shall distribute the amount of the allotted funds to local educational agencies in the State, of which—

“(A) 80 percent of such amount shall be allocated to such local educational agencies in proportion to the number of children, aged 5

to 17, who reside in the school district served by such local educational agency and are from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved) for the most recent fiscal year for which satisfactory data is available compared to the number of such individuals who reside in the school districts served by all the local educational agencies in the State for that fiscal year; and

“(B) 20 percent of such amount shall be allocated to such local educational agencies in accordance with the relative enrollments of children, aged 5 to 17, in public and private nonprofit elementary schools and secondary schools in the school districts within the boundaries of such agencies.

“(2) AWARD RULE.—Notwithstanding paragraph (1), if the award to a local educational agency under this section is less than the starting salary for a new teacher in that agency, the State shall not make the award unless the local educational agency agrees to form a consortium with not less than 1 other local educational agency for the purpose of reducing class size.

#### **“SEC. 6605. USE OF FUNDS.**

“(a) IN GENERAL.—Each local educational agency that receives funds under this part shall use such funds to carry out effective approaches to reducing class size with highly qualified teachers to improve educational achievement for both regular and special-needs children, with particular consideration given to reducing class size in the early elementary grades for which research has shown class size reduction is most effective.

“(b) CLASS REDUCTION.—

“(1) IN GENERAL.—Each such local educational agency may pursue the goal of reducing class size through—

“(A) recruiting, hiring, and training certified regular and special education teachers and teachers of special-needs children, including teachers certified through State and local alternative routes;

“(B) testing new teachers for academic content knowledge, and to meet State certification requirements that are consistent with title II of the Higher Education Act of 1965; and

“(C) providing professional development to teachers, including special education teachers and teachers of special-needs children, consistent with title II of the Higher Education Act of 1965.

“(2) RESTRICTION.—A local educational agency may use not more than a total of 15 percent of the funds received under this part for each of the fiscal years 2000 through 2003 to carry out activities described in subparagraphs (B) and (C) of paragraph (1), and may not use any funds received under this part for fiscal year 2004 or 2005 for those activities.

“(3) SPECIAL RULE.—A local educational agency that has already reduced class size in the early grades to 18 or fewer children may use funds received under this part—

“(A) to make further class-size reductions in grades 1 through 3;

“(B) to reduce class size in kindergarten or other grades; or

“(C) to carry out activities to improve teacher quality, including professional development activities.

“(c) SUPPLEMENT NOT SUPPLANT.—A local educational agency shall use funds under this part only to supplement, and not to supplant, State and local funds that, in the absence of such funds, would otherwise be spent for activities under this part.

“(d) PROHIBITION.—No funds made available under this part may be used to increase the

salaries of or provide benefits to (other than participation in professional development and enrichment programs) teachers who are, or have been, employed by the local educational agency.

“(e) PROFESSIONAL DEVELOPMENT.—If a local educational agency uses funds made available under this part for professional development activities, the agency shall ensure the equitable participation of private nonprofit elementary and secondary schools in such activities. Section 6402 shall not apply to other activities under this section.

“(f) ADMINISTRATIVE EXPENSES.—A local educational agency that receives funds under this part may use not more than 3 percent of such funds for local administrative expenses.

#### **“SEC. 6606. COST-SHARING REQUIREMENT.**

(a) FEDERAL SHARE.—The Federal share of the cost of activities carried out under this part—

“(1) may be up to 100 percent in local educational agencies with child-poverty levels of 50 percent or greater; and

“(2) shall be no more than 65 percent for local educational agencies with child-poverty rates of less than 50 percent.

“(b) LOCAL SHARE.—A local educational agency shall provide the non-Federal share of a project under this part through cash expenditures from non-Federal sources, except that if an agency has allocated funds under section 1113(c) to one or more schoolwide programs under section 1114, it may use those funds for the non-Federal share of activities under this program that benefit those schoolwide programs, to the extent consistent with section 1120A(c) and notwithstanding section 1114(a)(3)(B).

#### **“SEC. 6607. REQUEST FOR FUNDS.**

“Each local educational agency that desires to receive funds under this part shall include in the application submitted under section 6303 a description of the agency’s program under this part to reduce class size by hiring additional highly qualified teachers.

#### **“SEC. 6608. REPORTS.**

“(a) STATE.—Each State receiving funds under this part shall report on activities in the State under this section, consistent with section 6202(a)(2).

“(b) SCHOOL.—Each school receiving assistance under this part, or the local educational agency serving that school, shall produce an annual report to parents, the general public, and the State educational agency, in easily understandable language, regarding student achievement that is a result of hiring additional highly qualified teachers and reducing class size.”

Mr. Speaker, I yield back the balance of my time.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the fact is that defeating the previous question for the purpose of adding the 100,000 teachers amendment would be futile. It is not germane. And the rule amendment is not allowed under the rules of the House.

I urge my colleagues to focus on the issue at hand, which is the ed flex bill and the rule governing its consideration. All Members should vote “yes” on the previous question.

I would like to remind my colleagues of the strong bipartisan support of the ed flex bill. H.R. 800 has the support of, in addition to many Members on the other side of the aisle, the National School Board Association, the Association of School Administrators, the



Chamber of Commerce, the National Education Association, and once again all 50 governors.

I urge my colleagues to set politics aside and think of the kids who need us to open the doors to a better future through education. Let us move forward together to respond to the needs of our States, our local communities, but most importantly our children.

Mr. Speaker, I urge my colleagues to support this reasonable rule so we can move expeditiously toward passage of the Education Flexibility Partnership Act.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in opposition to the modified closed rule for H.R. 800, the Education Flexibility Partnership Act. I believe that this rule prevents the introduction of an important amendment, the Clay-Wu amendment for class size reduction.

Last year by making a \$1.2 billion appropriation, Congress made a commitment to our schools to reduce class size over the next 7 years. We also committed ourselves to hiring 100,000 more teachers to make that goal of smaller classes a reality. By not allowing this amendment to be considered in this modified rule, we are not keeping our promise.

This amendment resolves that Congress should set aside the necessary funds to continue on our quest to hire 100,000 new teachers. This was an important aspect of the Unified Democratic Agenda that was introduced last week. We cannot renege on our promise to our children.

The Ed Flex Bill purports to boost the academic achievement of our children. By removing certain federal programs, state and local agencies would be able to reform and improve education. However, without an initiative to decrease class sizes and to hire more teachers through this amendment, no amount of local reform will ensure effective learning.

This amendment would allow us to continue our commitment to the education of our children by setting aside at least \$1.2 billion again to hire more teachers. I urge my colleagues to oppose this modified closed rule.

Ms. PRYCE of Ohio. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

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

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have.

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 217, nays 198, not voting 19, as follows:

[Roll No 36]

YEAS—217

Aderholt	Barr	Bateman
Armey	Barrett (NE)	Bereuter
Bachus	Bartlett	Biggert
Baker	Barton	Bilirakis
Ballenger	Bass	Bliley

Blunt	Hall (TX)	Pitts
Boehlert	Hansen	Pombo
Boehner	Hastert	Porter
Bonilla	Hastings (WA)	Portman
Bono	Hayes	Pryce (OH)
Brady (TX)	Hayworth	Quinn
Bryant	Hefley	Radanovich
Burr	Herger	Ramstad
Burton	Hill (MT)	Regula
Buyer	Hilleary	Reynolds
Callahan	Hobson	Riley
Calvert	Hoekstra	Rogan
Camp	Horn	Rogers
Campbell	Hostettler	Rohrabacher
Canady	Houghton	Ros-Lehtinen
Cannon	Hulshof	Royce
Castle	Hunter	Ryan (WI)
Chabot	Hutchinson	Ryun (KS)
Chambliss	Hyde	Salmon
Chenoweth	Isakson	Sanford
Coburn	Istook	Saxton
Collins	Jenkins	Scarborough
Combest	Johnson (CT)	Schaffer
Cook	Johnson, Sam	Sensenbrenner
Cooksey	Jones (NC)	Sessions
Cox	Kasich	Shadegg
Crane	Kelly	Shaw
Cubin	King (NY)	Shays
Cunningham	Kingston	Sherwood
Davis (VA)	Knollenberg	Shimkus
Deal	Kolbe	Shuster
DeLay	Kuykendall	Simpson
DeMint	LaHood	Skeen
Diaz-Balart	Largent	Smith (MI)
Dickey	Latham	Smith (NJ)
Doolittle	LaTourrette	Smith (TX)
Dreier	Lazio	Souder
Duncan	Leach	Spence
Dunn	Lewis (CA)	Stearns
Ehlers	Lewis (KY)	Stump
Ehrlich	Linder	Sununu
Emerson	LoBiondo	Sweeney
English	Lucas (OK)	Talent
Everett	Manzullo	Tancredo
Ewing	McCollum	Tauzin
Fletcher	McHugh	Terry
Foley	McInnis	Thomas
Forbes	McIntosh	Thornberry
Fossella	McKeon	Thune
Fowler	Metcalf	Tiahrt
Franks (NJ)	Mica	Toomey
Frelinghuysen	Miller (FL)	Upton
Gallegly	Miller, Gary	Walden
Ganske	Moran (KS)	Walsh
Gekas	Morella	Wamp
Gibbons	Myrick	Watkins
Gilchrest	Nethercutt	Watts (OK)
Gillmor	Northup	Weldon (FL)
Gilman	Norwood	Weldon (PA)
Goode	Nussle	Weller
Goodlatte	Ose	Whitfield
Goodling	Oxley	Wicker
Goss	Packard	Wilson
Graham	Paul	Wolf
Granger	Pease	Young (AK)
Green (WI)	Peterson (PA)	Young (FL)
Greenwood	Petri	
Gutknecht	Pickering	

NAYS—198

Abercrombie	Clayton	Filner
Ackerman	Clement	Ford
Allen	Clyburn	Frank (MA)
Andrews	Condit	Gejdenson
Baird	Costello	Gephardt
Baldacci	Coyne	Gonzalez
Baldwin	Cramer	Gordon
Barcia	Crowley	Green (TX)
Barrett (WI)	Cummings	Gutierrez
Bentsen	Danner	Hall (OH)
Berkley	Davis (FL)	Hastings (FL)
Berman	Davis (IL)	Hill (IN)
Berry	DeFazio	Hilliard
Bishop	DeGette	Hinojosa
Blagojevich	Delahunt	Hoeffel
Blumenauer	DeLauro	Holden
Bonior	Deutsch	Holt
Borski	Dicks	Hooley
Boswell	Dingell	Hoyer
Boucher	Dixon	Inslee
Boyd	Doggett	Jackson (IL)
Brady (PA)	Doyle	Jackson-Lee
Brown (CA)	Edwards	(TX)
Brown (FL)	Engel	John
Brown (OH)	Eshoo	Johnson, E. B.
Capuano	Etheridge	Jones (OH)
Cardin	Evans	Kanjorski
Carson	Farr	Kennedy
Clay	Fattah	Kildee

Kilpatrick	Moakley	Shows
Kind (WI)	Mollohan	Sisisky
Klecza	Moore	Skelton
Klink	Moran (VA)	Slaughter
Kucinich	Murtha	Smith (WA)
LaFalce	Nadler	Snyder
Lampson	Napolitano	Spratt
Lantos	Neal	Stabenow
Larson	Oberstar	Stark
Lee	Obey	Stenholm
Levin	Olver	Strickland
Lewis (GA)	Ortiz	Stupak
Lipinski	Pallone	Tanner
Lofgren	Pascrell	Tauscher
Lowey	Pastor	Taylor (MS)
Lucas (KY)	Payne	Thompson (CA)
Luther	Pelosi	Thompson (MS)
Maloney (CT)	Peterson (MN)	Thurman
Maloney (NY)	Phelps	Tierney
Markey	Pickett	Towns
Martinez	Pomeroy	Trafilant
Mascara	Price (NC)	Turner
Matsui	Rahall	Udall (CO)
McCarthy (MO)	Rangel	Udall (NM)
McCarthy (NY)	Rivers	Velazquez
McDermott	Rodriguez	Vento
McGovern	Roemer	Visclosky
McIntyre	Rothman	Waters
McKinney	Roybal-Allard	Watt (NC)
McNulty	Rush	Waxman
Meehan	Sabo	Weiner
Meek (FL)	Sanchez	Wexler
Meeks (NY)	Sanders	Weygand
Menendez	Sandlin	Wise
Millender	Sawyer	Woolsey
McDonald	Schakowsky	Wu
Miller, George	Scott	Wynn
Mink	Serrano	

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.