

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	LaTourette	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
Galleghy	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	Trafficant
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.

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 been 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 staff's 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.