

one year, the bill would allow teachers that met the "highly qualified" standard in an affected state to be considered "highly qualified" in other states that are serving large numbers of displaced students where they may temporarily be teaching. In addition, the bill would expand the new individuals with Disabilities Education Act Paperwork Reduction Pilot Program to states affected by the hurricanes. This will further erase burdensome paperwork requirements on special education teachers.

Among other positive aspects, the bill also strengthens financial aid opportunities for affected students by expand outreach efforts to ensure disadvantaged students and families have access to information about financial aid that may be available as they pursue higher education. It requires colleges and universities to adjust financial aid award calculations through the Expected Family Contribution (EFC), taking into account changes in families' financial circumstances caused by the hurricanes. Further more, the bill would encourage institutions of higher education to ease the process for displaced students to transfer the academic credits they have earned and continue their studies as the region rebuilds.

In closing let me note that I strongly, support the idea of prioritizing children who have been impacted by the recent hurricanes. To this end I have been working on a proposal that seeks to achieve the goal of taking care of our children. It goes without saying that children respond differently to disasters, depending on their understanding and maturity, but it's easy to see how an event like Hurricanes

Katrina and Rita could leave a child feeling a good deal of anxiety. Kids who lived in the track of the hurricanes felt firsthand the threat of danger to themselves and those they care about. Now that the danger has passed, it's important to comfort them and reassure them that they're safe. It's also important to be open and honest with them in discussing unseen consequences of the hurricane for the family.

My proposal would prioritize children by requiring that the children who lost 1 or both parents or a guardian as a result of Hurricane Katrina and Rita should be provided with all necessary assistance, services, and benefits and urging Federal, State or local agencies responsible for providing such assistance, services and benefits to move expeditiously in providing such assistance, services and benefits to those children.

In addition, her proposal would further prioritize children by requiring that the children who lost 1 or both parents or a guardian as a result of Hurricane Katrina and Rita should be provided with such immediate assistance, services, and benefits for which they are eligible and which are necessary for their well-being, including:

- (1) foster care assistance;
- (2) adoption assistance;
- (3) medical, nutritional, mental and psychological care;
- (4) educational services; and
- (5) such additional care or services as may be necessary.

EXPRESSING SENSE OF HOUSE
THAT NINTH CIRCUIT COURT OF
APPEALS INFRINGED ON PAREN-
TAL RIGHTS

—
SPEECH OF

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 16, 2005

Mr. OBERSTAR. Mr. Speaker, I rise today to express my opposition to H. Res. 547, which expresses the sense of the House of Representatives "that the United States Court of Appeals for the Ninth Circuit deplorably infringed on parental rights in *Fields v. Palmdale School District*."

I oppose this resolution, because I believe the legislative branch ought not to intercede in the matter at this time. It is premature for Congress to take a position on the court's ruling, because the issue has not yet been definitively decided by the judicial branch. *Fields v. Palmdale School District* is an ongoing legal matter that is being addressed by the judicial branch. The legislative branch's action to pre-judge the decision infringes on the separation of powers in the Constitution and is an unnecessary usurpation of the judicial branch's role.

Should Republican leaders choose to continue bringing to the floor of the House of Representatives resolutions that criticize decisions of the courts, they should wait until the U.S. Supreme Court has issued a final decision.