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House of Representatives

The House met at 10 a.m.

The Reverend Anthony Marciano, Executive Director, Charlotte Rescue Mission, Charlotte, North Carolina, offered the following prayer:

I come as a Christian and invite you in your own faith to pray with me now.

God our Father,

We come before You with passionate hearts and minds for the people we represent and this land we love.

I ask You to bless these Representatives. You know their heart for their constituency, their hope for this country and prayer for peace in our world. You have witnessed the agony they feel when decisions are made and votes are cast in the best interest of this country. Let their vote be with integrity, even if it means being misunderstood for the position they have taken on the matter at hand.

I ask Your blessing, not for their honor, but on this land You have entrusted to their care. When their term is finished and they no longer darken these hallowed halls, may America remember their character, demonstrated by the decisions they will have made.

Give them Your wisdom, and discernment that they may demonstrate Your love.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on agreeing to the Speaker's approval of the Journal.

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

Ms. WASSERMAN SCHULTZ. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Georgia (Mr. PRICE) come forward and lead the House in the Pledge of Allegiance.

Mr. PRICE of Georgia led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 3761. An act to provide special rules for disaster relief employment under the Workforce Investment Act of 1998 for individuals displaced by Hurricane Katrina.

The message also announced that the Senate agreed to the amendment of the House to the amendment of the Senate to the text of the bill (H.R. 3768) ''An act to provide emergency tax relief for persons affected by Hurricane Katrina.''.

The message also announced that pursuant to Public Law 98–183, as amended by Public Law 103–419, the Chair, on behalf of the President pro tempore and upon the recommendation of the Democratic Leader, appoints Arlan D. Melendez, of Nevada, to the United States Commission on Civil Rights.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain five 1-minutes on each side.

MATERNAL SMOKING

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

Mr. MURPHY. Mr. Speaker, smoking during pregnancy is associated with low birth weight in babies, preterm births, and perinatal deaths.

Low birth weight babies often suffer complications such as underdeveloped lungs and require special care and longer hospital stays that can cost up to $2 billion annually in increased health care costs. As the children grow up, they are at increased risk for other health problems throughout their young lives.

The Centers for Disease Control and Prevention found that if pregnant women on Medicaid receive counseling that reduces smoking, millions and perhaps billions in excess Medicaid health care costs could be avoided. This extends widely as we cover other areas to help reduce smoking.

Congress needs to continue to provide health care organizations with data on the cost effectiveness of cessation services to encourage private plans and government-funded plans to cover smoking cessation. By reducing maternal smoking during pregnancy, we can save not just one but two lives at a time.

I urge my colleagues to visit my Web site at murphy.house.gov to learn about more ways to save lives and to save money by reducing health care costs.

TAKE CARE OF AMERICANS

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

Mr. KUCINICH. Mr. Speaker, America must begin to take care of things here at home, to protect the people from hurricanes and floods, to protect

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the people from the oil and gas monopolies. America must begin to take care of things at home to protect Social Security from privatization, to have the wealthy pay a fair share of the taxes. America must begin to take care of things at home, to have an exit strategy from Iraq to bring our troops home. America must begin to take care of things at home to rebuild the gulf coast, to rebuild the American economy, to rebuild hope in the future, to end fear and uncertainty.

Who will protect the American people if we do not? We will assure and must assure their education, jobs, living wages, health care, and retirement security. If we do not, who will?

IRAQIS TAKING CHARGE OF THEIR OWN NATION

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

Mr. PITTS. Mr. Speaker, Iraqis are not yet fully capable of defending themselves against the terrorists. But they are getting much closer.

In Tal Afar 5,000 Iraqis led 3,800 Americans in taking back the town from terrorists. The force killed 157 terrorists, captured 440, seized 34 weapons caches. The victory is a watershed moment in the war against terror. It was the largest urban offensive in Iraq since Americans led the Fallujah offensive last year. It is proof that with proper training Iraqis can do it better than us.

In Fallujah, the Americans withdrew and the terrorists reappeared. In Tal Afar, though, Iraqis are weeding out the terrorists and seeding the town with security forces. This will become the model for future operations in towns like Ramadi. Upcoming elections and the permanent establishment of the Iraqi constitution will lend legitimacy to this young democracy and move them closer to victory. Another ally in the cause of freedom.

FLOOD INSURANCE REFORM

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute.)

Mr. BLUMENAUER. Mr. Speaker, despite our recent flood insurance reforms, Katrina revealed that much remains to be done. Damage on a massive scale triggered payouts and borrowing that mean the program must be revised, including a significant one-time-only subsidy. We should reconsider who must be covered and how the insurance premiums will be paid as well as the tricky question of flood versus wind damage. And certainly more attention must be given to the role and responsibilities of communities to make their citizens safer. It is very likely that some of the weakest regulatory protections in the Nation contributed to the Katrina devastation.

I urge my colleagues to join me in this critical effort to fix the flood insurance program today and reform it for the future.

FISCAL RESPONSIBILITY

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, fiscal responsibility is one of those tenets of our Republican philosophy. It is something our constituents remind us of every day. A constituent called yesterday following our Operation Offset press conference. She liked what she saw. Her advice was an old adage from her granny: Mind your pennies and your dollars will mind themselves.

I said, No, we're minding your pennies, the taxpayers' pennies, their dollars. This is their money. It is not government's money. We need to remember that.

Mr. Speaker, this House under our Republican leadership has passed a 2006 budget that worked to reduce discretionary spending. It is a great step in beginning to rein in the growth of government. I commend them for that. This House has passed tax relief that has led to 3 million new jobs being created. We need to keep that. I want to thank the leadership for that good work and to thank them for encouraging every Member of this body to work with them to find a way for us to address the needs that our Nation has in response to Hurricane Katrina. I want to thank Republican Study Committee Chairman PENCE for his good work on Operation Offset in providing us with another opportunity to reaffirm that we are the party of fiscal responsibility.

KATRINA AND IRAQ COSTS

(Mr. EMANUEL asked and was given permission to address the House for 1 minute.)

Mr. EMANUEL. Mr. Speaker, the double standard in this Congress takes your breath away. In the 2½ years since I have been in Congress, this body has allocated nearly $400 billion for Iraq without a worry about the deficit. You have funded three wars with four tax cuts and added $3 trillion to the Nation's debt. Yet when this Congress is facing a tab for rebuilding the lives of Americans that is roughly half of what we have spent in the Iraqi war, suddenly everybody is a deficit hawk in this institution.

In Iraq we have spent millions to rebuild the Sweet Water Canal system, including the repair of the levee system. But here in America we cut levee construction and repair for Louisiana by 80 percent. When it comes to rebuilding Iraq, this Congress writes hot checks. Rebuilding America? You want to cut education and health care. Your inconsistency is breathtaking, especially when America draws the short stick. When it comes to rebuilding in the gulf coast, you are turning yourself into pretzels, all to protect tax cuts for the wealthy.

But rebuilding Iraq should not come at the expense of America's future. Everyone must have skin in the game when it comes to meeting our challenges. Freedom is not free. This Congress cannot have one set of books and one set of priorities for Iraq and another for the American people and their future.

LAWSUIT ABUSE AWARENESS WEEK

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. PRICE of Georgia. Mr. Speaker, as a third generation physician, I have seen health care in our Nation change in the most dynamic of ways. Advances in medicine and technology have improved the lives of millions of people. Today, however, the doctor-patient relationship that is so critical in providing quality health care is being exploited. It is no wonder that four out of every five Americans are wary of frivolous lawsuits in health care. Insurance companies, personal injury trial lawyers and even the potential of a lawsuit are leading hospitals to close their doors and doctors to stop practicing faster than ever before.

Lawsuit Abuse Awareness Week begins on October 3, not a moment too soon. Health care decisions must and should be made in the clinic and the operating room, not the courtroom. Decisions should be in the best interests of patients, not in the best interests of the pocketbooks of personal injury lawyers. I have seen it happen myself, with doctors making medical decisions out of fear of lawsuits, not from what they learned in medical school. That is not why they devoted their lives to medicine. Their only desire is to help heal people, not worry about whether their diagnosis would be put on trial.

HONORING MANUEL ESQUEDA

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in recognition of Mr. Manuel Esqueda, a retired banker who over his lifetime helped send nearly 2,000 Latino students to college, many of whom were the first in their families to go.

Manuel's dedication to his community and education came from his deep-seated connection to the Delhi neighborhood of Santa Ana, California, where he grew up and where his family was able to buy a home when other Mexican Americans were unable to do so. He was active in the development of the Delhi Community Center, which is now a centerpiece of that neighborhood.

In honor of his community service, the Manuel Esqueda Elementary

School was dedicated on September 8, 2005, to honor a man who never wanted recognition for himself but whose dedication to his community and to the Latino people of Santa Ana, California garnered him prestige and love.

Manuel was honored to have a school named for him, and from his hospital bed he tried to hold on so he could be there for the first day of school. Unfortunately, Manuel passed away 2 days before he was able to witness the opening of this school with his name.

He will be remembered fondly and his spirit will go on in all those young people who enter the doors of the Esqueda Elementary School in Santa Ana.

□ 1015

TAX BREAKS FOR THE GAMBLING INDUSTRY

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

Mr. WOLF. Mr. Speaker, I cannot believe the White House is planning to provide the gambling industry in the gulf region with special tax breaks as part of their economic recovery package. This is a disgrace.

In the wake of devastation left by Hurricane Katrina, taxpayer dollars should be helping these, indeed, the poor and the vulnerable.

In today's Washington Post, White House officials are quoted as saying they do not plan to exclude the gambling interests from receiving tax breaks.

In Mississippi, the gambling interests do not even receive special economic development tax breaks. I am outraged. And probably more telling is the shock coming from the industry itself.

A Harrah's spokesman in this morning's Post is quoted as saying, ''We're actually scratching our heads. We can't ever remember an instance of being offered a tax credit, ever!''

Economists in Mississippi say it is not needed. ''The casinos don't need this. If they are eligible, that would be a complete waste of money,'' from an economist from Ole Miss in The Washington Post today.

It is outrageous with budget deficits growing to historic levels, tax breaks for the gambling industry does not make sense.

The Bush administration, I will tell you, if this is in their package, this will be a disgrace and the American people will turn against this administration.

Give the money to the poor, the needy, the vulnerable, and not to the gambling interests that already have special insurance policies for this.

PROVIDING FOR CONSIDERATION OF H.R. 2123, SCHOOL READINESS ACT OF 2005

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 455 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 455

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. 2123) to reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill 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. 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 substitute shall be considered as read. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. 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. DUNCAN). The gentleman from Utah (Mr. BISHOP) is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), 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.

The resolution before us provides for a structured rule for the consideration of H.R. 2123, the School Readiness Act of 2005, and makes a good number of important amendments in order and will provide for a full and wide-ranging debate on all the aspects of the Head Start program.

Mr. Speaker, H.R. 2123 was passed out of the Committee on Education and the Workforce unanimously. It reauthorizes the Head Start program for fiscal 2011. At the same time, the bill incorporates a number of wide-ranging and widely supported commonsense improvements to Head Start which will improve teacher education standards, increase the accountability for the use of funds, and enhance outreach to the most deserving students.

The underlying bill does not include provisions which were deemed by some controversial in the base text, such as providing hiring protection for faith-based Head Start providers. Instead, the rule does provide for this and other items to be debated and voted upon separately so that the House may work its will and the final outcome will reflect the views of the majority of the Members, which is an understandable approach.

The Head Start program has provided comprehensive early childhood development services to low-income and disadvantaged children since the mid-1960s. Today, almost 1 million students are involved in Head Start. The Head Start program is good. In some places the Head Start program is great.

I do not want to be a little bit parochial here, but being well acquainted with those involved in Head Start in my particular area, they do a great job and I am very proud of my association with them. But in each of these situations, the program still could be better. For that purpose, this bill focuses or attempts to focus the academic program more clearly in particular areas. They put greater emphasis on language skills, prereading, premath, and cognitive skills. They insist that any new money above and beyond the funding skills, 60 percent of that be tendered only to teacher quality, which is where that emphasis needs to be.

The Head Start program is administered by the Department of Health and Human Services and is accomplished through grants that directly go to applying entities.

The Head Start program has been largely successful because the Head Start program is locally designed and they are administered by a network of 1,600 public and private nonprofit and forprofit agencies at the local level. Because of this local emphasis, educators can tailor their approaches to fill the specific needs of the populations they serve, instead of a one-size-fits-all approach that too many other Federal programs, including other Federal education programs, have.

Especially important is this particular thing, that in the text of this particular bill it puts a greater emphasis on tying Head Start programs to a State's curricular standards. To be a priority grantee in the Head Start program, they have to show a pure correlation to a State's curriculum standard. This is for the benefit of the kids coming through the system.

Of increasing specific importance to me is the local tie-in that is demanded by this particular bill. The Head Start

programs have to demonstrate an active support in trying to tie their programs into local school districts. This is essential in the long run if you want to have a smooth transition between Head Start and the local schools. Too often programs running contrary to that simply have a disconnect; and, therefore, there is not local support for these programs. This bill recognizes that is a serious problem and a serious error and attempts to try to bridge that gap by insisting that Head Start programs work closely with their local school districts to provide a seamless entry for those kids going through Head Start into the regular school programs in the States where they are.

The GAO was critical of some financial management standards of the Head Start program. To solve that without losing the purpose of Head Start, which is to help disadvantaged kids prepare for school, they have increased the element of competition within the program. The competition that will be new in this particular program will drive improvements in Head Start; at the same time it will meet the needs of a recommended financial management that the GAO suggested. By looking for and rewarding success in Head Start programs and also looking for and punishing deficiencies in any 5-year cycle, there is an element to try to improve this program, taking a program that is good and great and in every situation making it indeed better.

There are also within this guarantees that there is a guaranteed share of the money that will go to Native American programs, migrant and seasonal workers, the most disadvantaged of the groups that Head Start is trying to help and assist, who will never be placed at a disadvantage in the overall process.

In addition to that, this bill removes certain flawed techniques of evaluation that have been standardly used by the Head Start program and replaces them with something that is more scientifically based.

The rule that is currently before us provides for important amendments and policy discussion, and it is a very fair rule. In addition to a manager's amendment, the chairman of the committee who recommended this bill recommended four amendments, two by Republicans and two by Democrats. The Committee on Rules instead, in addition to the manager's amendment, recommended 11 additional amendments, five by Republicans, six by Democrats.

I commend the gentleman from Ohio (Mr. BOEHNER) and the sponsor of this legislation, the gentleman from Delaware (Mr. CASTLE), for their hard work in placing this bill before the House; and I urge all of my colleagues to support this rule.

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

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman from Utah (Mr. BISHOP) for the time, and I yield myself such time as I may consume.

Mr. Speaker, yesterday the Committee on Rules reported out a restrictive rule providing for the consideration of the School Readiness and Head Start Reauthorization Act.

A total of 24 amendments were submitted to the Committee on Rules on this bill, 16 by Democratic members and eight by Republicans. In typical fashion, however, only 12 of those amendments were made in order. Half of our colleagues' proposals, half of their legislative ideas, half of their amendments are blocked from consideration under this rule.

This includes, among many others, the McCollum-Van Hollen amendment, which calls for providing assistance to Head Start providers complying with congressional transportation mandates and the rising costs of gasoline. This commonsense amendment provided much needed assistance to Head Start programs that are having to cope with escalating gasoline costs. They are now choosing between buying new books for their students and putting gas into their buses. Unfortunately, the House will not have the opportunity to debate this amendment because it was not made in order under the rule.

As all Members should know, Head Start was created to address the preparatory educational deficiencies among economically disadvantaged children as a part of the War on Poverty. Since that time, millions of children and families have been the beneficiaries of a proven winning educational model for early childhood development.

This body likes to talk about readiness in many contexts: disaster readiness, military readiness, emergency readiness. We devise and implement all kinds of plans in order to be ready or prepared for any eventuality. School readiness is more than just being prepared for entry into the educational system. It is preparation for entry into life's systems.

Head Start is just what it says: a head start. It gives systematically, economically and socially disadvantaged children the head start that potentially allows for the navigation and negotiation of hurdles in life's race that they may not otherwise have been able to maneuver without. It is at this very point in the lives of our children that they are introduced to varying themes and concepts that will shape them into the individuals they will become.

Several of my Democratic colleagues from the Congressional Black Caucus have designed excellent amendments designed to broaden the scope of readiness for America's disadvantaged children.

The gentleman from Illinois (Mr. DAVIS) had an amendment and it asked for the recruitment of African American and Latino men to become Head Start teachers. This was made in order.

The gentleman from Mississippi's (Mr. THOMPSON) amendment calls for the Department of Health and Human Services to provide additional assistance in areas affected by Hurricane Katrina, and I suggested to the Chair that we broaden that to include any disaster so that children are covered who are in the Head Start category.

The gentlewoman from California's (Ms. MILLENDER-MCDONALD) amendment allows homeless and foster children to be automatically eligible for Head Start. These amendments were designed to help, not hinder; to move forward, not backward; to grow, not stifle.

□ 1030

I am pleased that they were made in order and enthusiastically support each of these amendments.

Unfortunately, although the underlying legislation has the support of both parties, the rule also makes in order a controversial and discriminatory amendment offered by the gentleman from Louisiana (Mr. BOUSTANY), our colleague. His amendment contains language that should give all of us pause and may cause this bill not to pass should it be approved by this body.

The Boustany amendment allows faith-based Head Start providers to discriminate with regard to religion when hiring personnel to run their programs.

Does this not blatantly and egregiously undermine what we are trying to do here? We are supposed to be about the business of creating opportunities and closing gaps.

The Boustany amendment only creates opportunities of systemic disadvantage and discrimination and closes doors to the very ones trying to open them for America's children.

Even more, title VII of the 1964 Civil Rights Act clearly stands in opposition to the gentleman from Louisiana's (Mr. BOUSTANY) amendment, the same title VII that was voted on and agreed to by the Members of this great body 41 years ago. Title VII provides every citizen broad-based protection against employment discrimination based on race, color, religion, sex, and national origin.

Supporters of the amendment will argue that the Supreme Court decision in the Amos case allows for the amendment to be in order and is, therefore, constitutional. That decision does, in fact, allow for the consideration of religion in hiring practices. However, it does not allow for the consideration of religion to discriminate in hiring practices.

How soon we forget that it is the very same language that made this bill highly controversial in the 108th Congress, and it will allow for it to be controversial if it passes again. I urge my colleagues to oppose this amendment.

Mr. Speaker, if we are serious about the lives of our children, if we are serious about readiness, if we are serious about reauthorizing Head Start, then it is critical that we continue to work in a bipartisan fashion and reject proposals which seek to divide this body

and its Members. The chairman of this committee and the ranking member and the members of this committee have worked very actively to fashion a reasonable and bipartisan effort. Congress should not be in the business of supporting State-sponsored discrimination. Forty-one years ago we said no. Today, 41 years later, no still is no.

The House should, without question or hesitation, reject the Boustany amendment and approve the bipartisan underlying legislation with some of the proposed amendments.

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

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

If I could just make a note of the amendments that were not made in order, of the 12, four were defeated in committee. So they did have a hearing in which they were discussed. Two were not germane. One was withdrawn in the committee. One was withdrawn before our Committee on Rules. Two dealt with issues that can be dealt with in other bills and should be dealt with in other bills. One was combined and given preference to a similar bill, and one was a policy issue that we simply said would not be there because it would take money away from the training of teachers, in contradiction with what the bill was trying to do.

Mr. Speaker, it is my pleasure to yield 4 minutes to the gentleman from Ohio (Mr. BOEHNER), the chairman of the Committee on Education and the Workforce.

Mr. BOEHNER. Mr. Speaker, I want to thank my colleague from Utah for yielding time, and Mr. Speaker, today we have an opportunity to act on behalf of the nearly 1 million disadvantaged children in the United States who participate in the Head Start early childhood education program every year. The bill before us, the School Readiness Act, was introduced by the gentleman from Delaware (Mr. CASTLE), my friend and colleague, and approved unanimously by the Committee on Education and the Workforce in May.

For four decades, Head Start has provided comprehensive services to help prepare low-income preschool children for success in school and in life. Unfortunately, Head Start children still enter school lagging behind their more affluent peers. If we do not address this readiness gap, Head Start children will continue to enter school without the level of preparedness that we know that they need. Another problem we have witnessed is an alarming number of financial abuses in various Head Start programs, showing that taxpayer dollars are not always being used to serve disadvantaged children and their families.

We must demand more in exchange for the money we are investing, and that is why the bill before us reforms and strengthens the Head Start program. To protect parents, children and taxpayers, the School Readiness Act subjects Head Start operators to an annual independent financial audit and requires them to file an annual financial disclosure statement that documents how Federal Head Start funds were used. These protections are a direct response to the reports of chronic financial abuse that have surfaced in recent years.

Another important component of this bill is that it will create greater competition to ensure Federal dollars are being spent wisely. The bill requires Head Start grantees that fail to meet program requirements to compete in order to continue receiving funds. This commonsense reform will fundamentally shift expectations in the Head Start program by demanding nothing less than the highest quality programs, and for the first time ever, programs that fail to meet expectations will face the possibility of losing Federal funding.

Later today we will debate an important amendment offered by the gentleman from Florida (Mr. MICA), which has been a priority of mine, that will complement our efforts to introduce greater competition into the program. The amendment would help implement a reform initiative at the Department of Health and Human Services designed to address the internal weaknesses in the Head Start management structure and improve its overall effectiveness, and I would urge my colleagues to support it.

Lastly, I would like to note another critical issue we will consider today in the aftermath of Hurricane Katrina. Faith-based organizations were among the first to reach out and lend a hand in service to those impacted by this disaster. It does not take a hurricane or another large-scale catastrophe to rally faith-based organizations to assist their fellow Americans each and every day. They focus on issues from job training to child care and everything in between. President Bush has called them the armies of compassion, and these armies are always on the front lines when our Nation needs them most.

Too often, the Federal Government has ignored or impeded the efforts of faith-based organizations willing to lend a helping hand in providing critical services to the neediest in our communities. The Boustany amendment will protect the rights of faith-based groups to fully participate in serving Head Start children without relinquishing their religious identities.

The 1964 Civil Rights Act made clear that when faith-based groups hire employees on a religious basis, it is an exercise of the group's civil liberties. Former President Bill Clinton signed four laws explicitly allowing faith-based groups to staff on a religious basis when they receive Federal funds, and a 1987 Supreme Court decision unanimously upheld this right. This amendment deserves the support of all of our colleagues.

I think the rule before us today is a fair rule that makes in order an array of Democrat and Republican amendments, and I would urge my colleagues to support it.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I cannot impress enough to the chairman that title VII of the Civil Rights Act of 1964 applies to the use of religious organizations' own resources, not Federal taxpayer dollars.

Mr. Speaker, I am very pleased to yield 4 minutes to the distinguished gentlewoman from California (Ms. MATSUI), my good friend with whom I serve on the Committee on Rules.

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

Ms. MATSUI. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

Mr. Speaker, I rise today in support of a program that works, Head Start, and our efforts today to reauthorize the program in this School Readiness Act.

Head Start has proven itself time and time again to be an effective program and a worthwhile investment of Federal dollars. For every dollar invested, we see a $7 return. Imagine those returns on the stock market. An investment of $100,000 means that ultimately you would see $700,000 in your account. In fact, with those returns, we should be authorizing a higher level of funding.

We are all aware of just how critical a child's first years are, and this is a program that is so much more than just early education and reading skills. It is also about health care, nutritional and social benefits for the children as well as their parents. Head Start is about ensuring children are on the right path as they begin their education careers.

Earlier this year, I visited two of the over 110 Head Start centers in Sacramento County in my district. During the visit, I witnessed the tangible reward of this program, as well as the harder-to-define benefits.

At one of the centers, they were learning about shoes, from slippers and sneakers to work boots and rain boots. The children were not only learning about how the shoes indicated what people were doing, but about all of the possibilities available to them; that one day they, too, could be wearing those doctor's booties or those firefighter's boots.

With a goal in mind, maybe not consciously outlined but still a hint of an idea, these children began to dream about the positive benefits of education and where in life an education can take them.

Lifting children out of poverty, offering them hope and possibility instead of despair is truly a worthwhile endeavor, a lesson that Head Start works to teach.

I do have one concern today, and that is about the possibility that an amendment allowing religious discrimination could be added to this legislation. The idea of discrimination is not something we should be teaching our children. By allowing this discrimination, we could be blocking countless parents from rising out of poverty. Already, thousands of parents have transitioned from parent volunteer to a full-time paid Head Start teacher.

There is a bigger and more fundamental issue at stake. Head Start emerged from the civil rights platform of equality and minimizing the reach of poverty in this Nation. Yet, this amendment is about allowing discrimination.

Discrimination only serves to divide us. It pits one individual against another, one group against another, something we see far too often. This is not a lesson the children should learn.

Head Start is a good program. We should keep it that way, for all the children of Sacramento and all across the country. I would hope that during consideration of this legislation today, we would vote down the religious discrimination amendment so we can see this good bill move forward.

Mr. BISHOP of Utah. Mr. Speaker, I am more than pleased to yield 2 minutes to the gentleman from Florida (Mr. KELLER).

Mr. KELLER. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise today in support of the rule and of the underlying Head Start bill. Since I was elected to Congress in 2000, we have increased Head Start funding by 28 percent, from $5.8 billion in 2000 to $6.8 billion today.

Head Start is a crucial program for over 900,000 of our Nation's most needy students. It provides child development, educational, health, nutritional, social and other activities to help prepare young children for kindergarten. A good Head Start program will make sure that low-income 4-year-old children will know their ABCs, be able to count to 20, have the building blocks they need to hit the ground running on their first day of kindergarten.

We know today how important early childhood education is to a child's long-term success. Head Start makes sure that children from low-income families have the educational foundation they need to succeed.

As a father of two, I know firsthand how precious our children's first years are and how important they are to our children's future. I am proud of Congress' increased support for low-income children through the Head Start program, and I urge my colleagues to vote ''yes'' on the rule and ''yes'' on the Head Start reauthorization bill.

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Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 3 minutes to the distinguished gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM of Minnesota. Mr. Speaker, I rise today to express my sincere disappointment in the Committee on Rules decision to report a restrictive rule for consideration of the bill before us today, the reauthorization of Head Start, the future of our children.

Several commonsense amendments were not ruled in order. Not surprising, most of them were Democratic amendments. Instead, several amendments that were ruled in order will weaken Head Start and the opportunity for our children.

In the committee, there was support of adding the language ''faith-based'' into the bill, even though faith-based institutions currently participate in providing Head Start programs. We were happy to do this in committee; I was also, along with my colleagues, because the Equal Opportunity Employment Act is also spelled out clearly in the bill, which does not allow for discrimination in hiring.

But there was another amendment that was not ruled in order, my amendment, an amendment which would have protected the privacy of our faith-based organizations and the integrity of our tax dollars. The amendment that I offered in the Committee on Rules would have simply required faith-based organizations to create a separate bank account, a separate bank account in which to receive Federal dollars for the Head Start program, a distinct and separate bank account from the private dollars that a religious organization collects to put forward their religious mission.

Why do we need to do that? Well, first, we need to protect Federal tax dollars from being used improperly; and, secondly, we need to protect the privacy of faith-based organizations' accounting books for their religious mission. With the commingling of funds, if fraud is suspected, a faith-based organization would have to open up all of their books for inspection. My amendment would have required separate accounts, therefore, protecting the church's mission and the Federal education mission of Head Start.

Mr. Speaker, let me quote from the Covenant Companion, a Christian publication. I quote from this publication, and I will also include this in the RECORD, as well as two other publications that speak to this. From the Covenant: ''Churches are particularly vulnerable to embezzlement because of the high-level of trust given to employees and volunteers that lack the sophistication, fiscal controls, and oversight.''

My amendment simply would have been a preemptive strike against financial abuse that we know will happen because it has already occurred. For example, this past summer, $80,000 was stolen from a Federal Head Start program run by a church.

Mr. Speaker, I urge my colleagues to reject this rule. We need a new rule, one that will protect the taxpayers, one that will protect faith-based organizations and stop discrimination.

[From the Covenant Companion, Apr. 2003]

WHEN THE NUMBERS DON'T ADD UP

(By Bob Smietana)

Sandra had a problem—an overdue Visa bill for $672 and no cash to pay it. And the Visa bill wasn't the only problem. Sandra was behind on a number of other bills and her creditors were calling. And calling.

Then Sandra, the bookkeeper at a small manufacturing company in Kansas, came up with a desperate plan. She would use one of the company's checks to pay her bill. ''I thought, just this one time, just to get back on my feet,'' she told Fortune Small Business (FSB) magazine. ''No one will know.''

To disguise her actions, Sandra recorded the check under the name of one of the company's vendors. When the bank statement came, she removed the canceled check, leaving no trace of the theft.

But it wasn't just one time. From 1992 to 1999, Sandra, a former small town cheerleader and mother of two, wrote out eighty-eight checks to pay her bills and made eighty-eight false entries. The total, according to FSB, was $248,383—all of it going to pay living expenses. Since her employers at the small, family-run business trusted her, they never checked her work.

The embezzlement was discovered when Sandra went on vacation. While she was gone, one of the canceled checks was found and her boss discovered what she had done. Sandra was convicted of embezzlement and sentenced to eighteen months in prison.

While fraud at major companies like World Com and Enron have made headlines in recent years, small businesses, nonprofits, and churches arc particularly vulnerable to embezzlement because of the level of trust given to employees and volunteers and the lack of sophisticated financial controls and oversight.

In the past three years, GuideOne, which insures 45,000 churches in the United States, paid 3,845 claims to churches for losses from theft (by people outside the church) or embezzlement (by people inside the church). Those claims total over $8 million, with an average claim of $2,106.

In the past ten years, at least eleven Covenant churches have reported being victims of embezzlement, with anywhere from ''just over'' $10,000 to more than $300,000 taken by people they trusted—volunteer treasurers, church staff, even a pastor. At least one major embezzlement at a Covenant church was discovered in 2002. And the actual number of embezzlements is likely higher because many churches are reluctant to report when a member of the church has embezzled money.

Kent Egging, interim pastor of Bethany Covenant Church in Mount Vernon, Washington, has studied embezzlement in churches as part of a doctor of ministry degree program. Egging also knows the effects of embezzlement on a church firsthand—while he was co-pastor of a Covenant church in Portland, Oregon, the church's treasurer embezzled more than $45,000.

The embezzlement began in 1992, soon after Jim, a member of the church, became treasurer. His main qualification, Egging says, was not formal training in business or accounting—''he was willing to do the job.''

Soon after starting, Jim learned that the church had a separate account to handle funds for a campaign to build a Christian education (CE) wing. Since the funds were not needed immediately, there seemed to be no need to closely monitor the account.

That separate account gave Jim two things that an embezzler needs to succeed—access and no accountability. ''He found he could transfer funds into this CE account and then withdraw them,'' says Egging, ''and absolutely nobody knew.''

The transfers were made by phone, leaving no paper trail, and then the treasurer would create a false financial statement, which made it appear that the transactions had never taken place.

''When the building committee began asking for access to the CE funds, they had a hard time getting Jim to write them a check. In April 1993, he admitted—at first—taking $20,000. After learning about the embezzlement, the church discussed whether or not to call the police. In the process, Egging talked with a friend who worked in the local district attorney's office.

''You call the police now,'' his friend told him. ''You call them now. Here's what I can tell you—if he says it's twenty, it's probably forty. If he says he'll do anything you want right now to repay it, two months from now he won't be willing to do anything.''

Much of what Egging's friend said was accurate. A thorough investigation revealed that $45,000 was missing. While the church filed a police report, they did not press charges. Instead, they reached a binding agreement with their former treasurer to repay the money.

''We ended up having a stipulated statement of judgment,'' says Egging, ''which is a combination of a legally binding confession to a crime, so there is no need for prosecution, and a contract for repayment.'' The agreement for repayment was for about $50,000. The church only received about $300.

Restoring trust after an embezzlement at a church is a long process. The first step is getting an accurate picture of what was lost. ''It was very important for us to do a proper accounting,'' says Egging. ''The biggest issue in all of this is trust, the violation of trust. It's not about the money so much. It's about the trust. He violated our trust. The trust of leaders in the congregation was in question because of this.''

To prevent any embezzlement from happening in the future, the church revamped its entire financial system. They hired a CPA to set up and monitor new accounting procedures. The church changed its bank accounts so that telephone transfers were no longer allowed. All financial statements were kept at the church, and all accounting work was done on the church's office computer rather than on a volunteer's home computer. That's an area of vulnerability in most churches, says Egging.

''I would bet that most churches in America have some or a significant number of financial records at somebody's house in a box or on somebody's home computer,'' he says, ''because home computers are generally better than church computers. A church wants to make it easy for a volunteer who's working on church finances.''

Embezzlement can happen even when a church has taken steps to prevent financial losses. That was the case at Highland Covenant Church in Bellevue, Washington, during the mid-1990s. The church had a number of common financial safeguards in place—two signatures were required on every check, two people were present whenever collections were counted, and the church did an internal audit of its book each year. Highland also practiced a ''segregation of duties.'' One person, the financial secretary, deposited funds; another person, the bookkeeper, prepared checks. Neither the bookkeeper nor the financial secretary was allowed to sign checks.

For the most part, Beth, the church's bookkeeper, generated Highland's checks on her computer. ''But every few months, she would call up and say her printer wasn't working,'' says Dave Kersten, who was pastor of Highland Covenant from 1986 to 1997.

When this happened, Beth would prepare all of the payroll checks by hand and then send them to the church office to be signed. After they were signed, she would alter the checks, adding just a single digit to increase the amount, sometimes by several thousand dollars.

''She would write herself a check and her husband a check, because he was the part-time janitor,'' says Kersten. ''Instead of it being a check for $700—it could become a check for $4,700.'' Over a seven-year period, Beth took more than $300,000.

The embezzlement was not detected because the church's bookkeeper had control of the bank statements. Early on, she had asked that all of the church's bank statement be sent to her home. ''And in a very trusting environment,'' says Kersten, ''that was the big mistake.''

When the first altered check was discovered, Kersten called the Bellevue police and spoke to a fraud detective.

''As soon as he heard that she had control of the bank statements, he knew that he had a real case,'' Kersten says. ''Invariably, when an organization allows a person who is writing the checks to control the bank statements, they are very vulnerable.''

While the church's financial reports indicated that it had money in savings and other discretionary funds, that proved to be false as well. All of those funds had been folded into the church's checking account. And because the embezzlement had taken place slowly, over a long period of time, it was easier to hide even during internal audits.

Each year, two members were appointed to audit the books. They would call up Beth and ask her to send 3 months of statements, picked at random. ''She would pick months she didn't embezzle any funds and send them those accounts,'' says Kersten. ''The books balanced and that was the end of the story.''

The embezzlement came to light in April 1995, after the church let Beth go as bookkeeper because of suspicions that something was wrong with the church's finances. She was arrested, tried, convicted, and sentenced to 40 months in jail. The decision to turn the matter over to the police had been fairly straightforward, because of the amount of money involved.

Because their policy limited the amount of losses due to embezzlement or fraud, Highland received less than $20,000 from their insurance company. But the church was able to recover from the embezzlement, and by the time Kersten left in 1997, had rebuilt their savings and completed a major fundraising campaign.

Most churches, charities, and businesses that arc victims of embezzlement are never able to recover the funds they lost. Often their insurance policies have clauses that limit liability due to fraud. Many embezzlers have financial problems and, despite stealing large sums of money, have no assets left when they arc caught. And while embezzlers often make restitution plans, it is difficult to enforce them.

Remember Sandra, the accountant from Kansas? She was released from prison 2 months early so she could start repaying what she stole. According to FSB, she makes a monthly payment of $100—at that rate, it will take 20 years to pay it all back. She said she told her story because she wanted to help prevent other people from making the same mistakes she did.

''I'm not a bad person,'' Sandra told FSB. ''But I did a really bad thing.''

PROTECTING YOUR MINISTRY FROM INTERNAL THREATS

When Fred Meyers was elected treasurer of First Community Church, it didn't take him long to realize something wasn't adding up with the church's finances. After scouring the church ledger and consulting a private CPA, Meyers informed church leaders that First Community had been the victim of embezzlement.

Church leaders soon discovered that, over the past several years, an usher had been directing offering money into his own pockets. Overall, nearly $10,000 of tithes and offerings never made it into the church's account.

In the business world, embezzlement is the most common financial crime in the Nation. Unfortunately, it's also a frequent crime against churches and not-for-profit ministries. And, unlike other crimes against religious organizations, embezzlement is perpetrated by a trusted person from within.

Most church leaders don't want to acknowledge the likelihood of one of their own parishioners or employees committing a crime against their organization. But, although these types of crimes may not be widespread, they are common enough-and costly enough-to warrant preventive measures.

PUT IT IN WRITING

Develop a comprehensive written policy governing the handling of your ministry's finances. This policy should clearly spell out the procedures for handling church finances, making deposits and withdrawals from church accounts, accessing financial records, and conducting other financial business.

Having procedures in writing and explaining these procedures to employees and volunteers will promote consistent handling of your organization's finances. Written guidelines let everyone know what's expected of them. And, they discourage dishonest employees from using ignorance of proper procedures as a defense of their criminal actions.

In addition to a written policy for handling finances, it's helpful to have written position descriptions for all employees and volunteers. Position descriptions can eliminate confusion over who has access to certain financial documents and who's authorized to perform certain financial functions.

Document all financial transactions clearly and immediately. Record deposits, withdrawals, loan payments, payroll, and any other financial transactions. Keep these records (and duplicates, if necessary) in a safe place. By documenting all financial procedures, your organization can detect discrepancies quickly, protect honest employees from unwarranted accusations, and gather necessary evidence to identify criminals in the event of a financial crime.

Implement a program for documenting suspicious financial incidents. In many cases, at least one other employee or volunteer is aware of—or at least suspicious of—fraud or embezzlement. Making it easy and safe for employees and volunteers to report suspicious financial activity will make it more likely that they'll come forward with helpful information.

Develop a program for handling church finances in which the receipt, deposit, distribution, and documentation of church money is carried out by different people. Require dual signatures for financial transactions like withdrawals or for endorsing and cashing church checks for more than a certain dollar amount. If control over financial operations is divided among several people, it will be extremely difficult for discrepancies to go undetected.

WATCH OVER YOUR OFFERINGS

Tithes and offerings represent the greatest internal threat of loss to churches and ministries. And, because significant portions of offerings are made in cash and are usually collected and counted by volunteers, the misuse or misappropriation of cash offerings is one of the easier crimes to commit against churches.

To protect your church's offerings, follow these steps:

Ask your congregants to place financial gifts in envelopes preprinted with their names and addresses before placing them in the offering plate. This will make it harder to discern what portion of the offering is cash and what portion is checks.

Always have at least two people present when counting the offering. It's best to use longtime church members who've established a reputation of being trustworthy. Develop a list of such people, and periodically rotate those on the list when offerings are counted. Also, avoid counting the offering behind closed doors.

Stamp checks ''For Deposit Only'' when endorsing them. This will make it more difficult for the money to be redirected anywhere except to your church's account. Also, using colored ink, rather than black ink, on rubber stamp images makes it harder to use a copy machine to forge them.

Have an independent certified public accountant (CPA) periodically review your financial control procedures. A CPA can tell you whether your procedures are adequate and give you additional guidelines to help you protect your finances from threats from within.

PROTECT YOUR PHYSICAL PROPERTY

In addition to financial assets, physical property is a favorite target for criminals within an organization. Follow these tips to protect your property:

Use a safe for petty cash, small valuables, keys, and important documents. Keep important financial records and personnel documents in a safe or a locked filing cabinet. Only a few necessary staff members should have access to the key or combination.

Establish a key monitoring system. Use keys with serial numbers on them to keep track of which employee or volunteer has which key. Avoid keeping spare keys. If they're necessary, keep them locked in a secure place. Collect keys from employees or volunteers who leave the organization.

Keep interior office, classroom, and supply room doors locked when not in use.

Give master keys only to those people who need them. If someone only needs a key to get into a classroom, that person may not also need a key that opens the church office.

Control access to security codes. If your church or ministry has a security system, be sure that only a few necessary staff members know the codes. Additionally, it's a good idea to occasionally change codes or passwords. Be sure to change the codes whenever anyone with access to them leaves the organization.

Keep a personal property inventory of your organization's physical property. This will help you quickly tell if something is missing, establish proper insurance protection, and allow a faster, more comprehensive recovery in the event of a loss.

Taking steps to prevent internal crime is just as important as guarding against threats from the outside. Following these guidelines will help you reduce the chance of being victimized from within and help you avoid the high physical, emotional, and monetary costs it can bring.

Mr. BISHOP of Utah. Mr. Speaker, I appreciate the comments of the gentlewoman from Minnesota. I understand her feelings about not being allowed to have an amendment placed in order on the floor. I have been in that situation myself several times.

I would simply point out that the particular amendment to which the gentlewoman refers was offered in the committee itself and was defeated on a bipartisan vote in that committee. It was one of the concepts that we thought was not necessary to replow all old ground over and over again, and that is probably one of the reasons why this particular amendment was not placed in order by the Committee on Rules.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 4 minutes to the distinguished gentleman from Texas (Mr. EDWARDS), my good friend and a leader in the fight for education and for veterans and other affairs in this Congress.

Mr. EDWARDS. Mr. Speaker, as the father of two young sons, I am a strong supporter of the Head Start program because I want every child in America to have a chance to reach his or her highest God-given potential. As a person of faith, I believe in the important role of faith-based organizations in addressing society's needs, including the education needs of children. But also as a person of faith, someone who has revered my religious freedom under the Constitution, I am deeply disappointed and offended that the Republican leadership of this House has allowed an amendment on the floor today that would deny potentially hundreds of thousands of American citizens a government-funded job simply because of their religious faith.

How ironic and disappointing it is that just at the very same time that we are preaching to the Iraqis that they should adopt a constitution that protects religious freedom, the Republican leadership of this House is willing to deny that freedom, that religious freedom to American citizens.

I wonder how the gentleman from Utah (Mr. BISHOP), who is the floor manager on the Republican side of this rule, would feel, Mr. Speaker, if right now I asked him to answer my 20-point religious test. I hope he would be offended that I would ask him 20 specific questions about his personal religious faith. Yet that gentleman and others who support this rule and the Boustany amendment would allow faith-based groups, using tax dollars to give every individual applying for a job to teach children how to have a better life in the world, allow them to give a personal detailed religious test.

And then they can say, you know what, even though you have a Ph.D. in education and 30 years of experience in helping young children get a better education, we are going to deny you, Mr. Jones or Mrs. Smith, this federally funded Head Start job because you did not pass our personal religious test. No American citizen should have to choose between his or her religious faith and a job, a job paid for by American taxpayers.

What is wrong with this, the Boustany amendment, is that it would allow religious discrimination, period. Call it what you want, it would allow religious discrimination. Number two, it is worse than that. It actually uses taxpayers' money to subsidize religious discrimination and bigotry.

Next, I think it is inconsistent with article VI of the Constitution. We have heard a lot of debate about strict construction of the Constitution. Article VI, the only reference to religion in the original Constitution before the amendments were passed, said basically that no religious test shall ever be required as a qualification to any office or public trust under the United States. The spirit of that article is that you should not have to pass a religious test to get a publicly funded taxpayer-paid-for job.

Talk about strict interpretation of the Constitution. If having to choose between my religious faith and getting a Head Start tax-funded job is not restricting my religious freedom, then what is?

Let me tell you what could happen under the Boustany amendment, which the gentleman from Ohio (Mr. BOEHNER) said he supported, because it is pretty ugly.

I could get a Federal million dollar taxpayer job grant and put out a sign that says ''No Jews or Catholics need apply here to this federally funded job.'' Another group might put out a sign that says ''No Baptists or Methodists need apply here for a federally funded job.'' Another group might put out a sign that says ''No Mormons need apply here for a federally funded job.'' Despite the fact they are qualified to help children have a better life, have a Ph.D. in early childhood education or even special education, simply because of their religious faith they are denied the right to have that job to help children.

That is morally wrong. Shame on the Republican leadership for endorsing and subsidizing religious discrimination.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to the distinguished gentlewoman from California (Ms. WOOLSEY), my classmate, the ranking member of the Subcommittee on Education Reform, the subcommittee of relevant jurisdiction for this legislation.

Ms. WOOLSEY. Mr. Speaker, I rise in opposition to this rule. The Committee on Education and the Workforce voted for this Head Start bill unanimously, 48 to 0. But many of our Republican colleagues today would destroy this bill, making it partisan by allowing religious discrimination in hiring while using Federal funds, using taxpayer dollars.

Most Democrats were not allowed to bring their amendments here to the floor for debate, although a bill was allowed that would add religious discrimination to this Head Start bill. It is a poison pill.

I offered an amendment with the gentleman from Maryland (Mr. VAN HOLLEN) to fully fund Head Start and

to increase funding for early Head Start. Even though we are serving fewer than half of eligible children, the first 4 years of the George W. Bush administration included four of the five smallest Head Start funding increases since 1991. And the number of children served by Head Start has increased by less than one-tenth of 1 percent since the end of the Clinton administration.

In a country as wealthy as ours, this is not acceptable. It is also not acceptable that while denying Democrats a debate on expanding access for children, we will debate an amendment from the gentlewoman from Colorado (Mrs. MUSGRAVE) to allow some providers to divert public funds to private profit.

Opponents of my amendment will say that they would like to increase funding for Head Start, but that they just cannot because budget constraints make it impossible. But this is authorizing legislation, Mr. Speaker, and authorizing legislation should tell appropriators what we need to accomplish our goals. If appropriators do not have the resources to do this, it is only because the administration and this Congress choose more tax cuts for the wealthiest among us over help for our children.

Mr. BISHOP of Utah. Mr. Speaker, once again I share the frustration and understand the gentlewoman from California, as to her amendment not being made in order here. But I once again would point out that the amendment was presented in the committee and was rejected by the committee. And once again, it is not necessary to replow old ground every time the bill appears before the group again. So I appreciate that consideration very much.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 3 minutes to the distinguished gentleman from Missouri (Mr. CLEAVER), a man of the cloth, a reverend representative.

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

Mr. CLEAVER. Mr. Speaker, I thank the gentleman for yielding me this time, and my goal here is to make a point, not to make an enemy.

Mr. Speaker, I rise in opposition to the rule and in strong opposition to the Boustany amendment and to add my name to the chorus of religious individuals and organizations that oppose this ill-conceived and harmful amendment.

As an ordained minister of the United Methodist Church, I recognize the important role faith-based organizations play in providing educational, health, and social support services to low-income children and their parents. The faith-based community has long played an active role in operating Head Start programs and has done so while upholding the Constitution and civil rights standards. By the faith community, we have been able to provide all kinds of services. In fact, my first job after college was working in Catholic Charities, which received tens of millions of Federal dollars to run programs.

Mr. Speaker, this is not only bad policy; this is bad theology. In my religious tradition, we give great recognition to the Apostle Paul, who said: ''There is neither Greek nor Jew, circumcision nor uncircumcision, barbarian, Scythian, bond nor free,'' and it goes on to say: ''Put on, therefore, as the elect of God, holy and beloved, tender mercies, kindness, humbleness of mind, meekness, long suffering.'' That is not in this amendment.

Proponents of this amendment claim it is necessary to protect religious freedom. I will tell you now, as a pastor, that I take offense at that claim. How is religious freedom served when we force a teacher to choose between her faith and her job? How is it religious freedom when we tell children that they can lose their teacher because she or he is from the wrong faith? How is it religious freedom when we frustrate the laws of the land?

And make no mistake, should this amendment pass, the children served by Head Start, those most at risk, would be the ones who suffer. Tens of thousands of children currently in Head Start could lose their teachers to whom they have bonded.

□ 1100

And their parents could be denied the chance to climb out of poverty by moving from Head Start, discriminating against current and potential teachers because of religion, causing children to lose one of the most important adults in their lives, denying parents the chance to elevate themselves out of poverty.

There is no doubt in my mind that these things are not only harmful, they are immoral. This is not good for America. This body has no business undoing prohibitions against bigotry.

Churches have been seen historically as a citadel for justice, a place of peace, a place of racial harmony. This can be seen as a subterfuge for bigotry. When someone comes to the St. James United Methodist Church, which I pastor, they know that they are going to be considered for employment based on their qualifications and there is no subterfuge for bigotry.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there is a time and place for everything we do. If this rule is passed, there will be a 30-minute time and place to discuss the details of the specific amendment which has been referred to several times. I hope saying there is a time and place for that, and I apologize since I am paraphrasing from a faith-based piece of literature, and if it would be more profitable I could say I am paraphrasing from a popular song of the counterculture of the 1960s, and I am sure that would absolve anyone with 9th and 10th Circuit concerns. But let me say just one particular word, and I appreciate the comments that have been made so far.

Mr. Speaker, what we are talking about is the rule on if an amendment should be debated, which is far different than actually debating the amendment itself.

Since the minority has jumped over that line and tried to go into the amendment itself, let me say a couple of things about it, and I appreciate the comments from the gentleman from Texas.

I served as a missionary from my church for a couple of years. I am used to people asking me those questions, so if the gentleman has got more, he should. Although when you put the discrimination, if the gentleman put my religion first instead of the end of the line, it would have been nicer.

I also was a school teacher, and I realize in the article the gentleman quoted from the Constitution I was an officer of public office and trust.

What we are talking about here is simply whether a church who is organized should be able to hire Members of their church to work for their church. That is a concept which has been upheld in statute by this body. It is a concept which has been upheld by the courts. Should the State be able to compel a church to hire somebody outside of that church to work for that church: That is the question. Then the issue is once you have decided that, and it has been decided by both the courts and the legislature, can we allow those people to help kids?

What we are talking about is if we can help kids and how best we can help kids. The entire purpose of this act is to try and focus academic efforts to try and make sure that kids are prepared to enter the school system, and are there groups that can help kids. We should not put some kind of artificial barrier in front of groups that can help kids from actually doing that, especially when they are functioning under the rules that we have established and have been upheld by the courts.

This debate is going to be extremely lively during its proper time and place during the debate on the floor when the amendment is presented.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

My distinguished friend on the Committee on Rules never ceases to amaze me, but he has done it again. The gentleman says we are going to have a time and place to debate this. It will be for 30 minutes; 435 Members of this body are going to have 30 minutes to debate this. For the gentleman's information, the Boustany amendment has been made in order. And yes, we are discussing it and this is the time and this is the place to make sure that we do not discriminate with Federal dollars.

Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I oppose the rule on the basis of an exclusion of some very pertinent amendments, but I have to respond to what I just heard. It is not the church that hires the individual, it is the Federal Government's money that is being utilized. You are missing this point. Do not, and I warn everyone about this, do not place one party against the other. We support faith-based, but taxpayers should not have their money taken so that one church can say you are not of this religion so you cannot work for me. That is discrimination and it will never stand up with the Constitution.

How dare anyone say on this floor that we are allowed to separate with Federal money, with Federal money, the horror of tens of thousands of desperately poor Americans trapped in an environment of extreme neglect, abandoned by its government, left behind to fend for themselves without the most basic resources to survive? We witnessed that in the last 3 weeks. We witnessed the aftermath and we witnessed a wake-up call to America.

I am proud that Americans have opened their hearts in the wake of this tragedy to lend a helping hand that the government at first refused. America believes in giving all of its citizens the resources and opportunities to make a decent life for themselves and their families. America believes in bringing the buses in on time so everyone gets out, not just the wealthiest among us.

Head Start is that helping hand. Head Start is bringing the buses in before the floodwaters of poverty trap people in a desperate life of illiteracy, unemployment, crumbling homes, dangerous streets, drug addiction, and no hope.

If we did not know it before, the tragedy of Hurricane Katrina has reaffirmed that a Head Start is the very least we owe each other; so I am pleased that there is bipartisan efforts to put this reauthorization bill together. It protects the basic structure of the program. I commend the gentleman for that. But do not separate those of us in this room in saying those are for values and these are not for values. We are talking about a very narrow scope of debate here. Head Start programs continue to address the many needs of low-income children and their families.

In the words of Cecile Dickey, the former executive director of Head Start in Paterson, New Jersey, my home town, and a personal hero of mine, she was there when we started Head Start in this Nation, and she said, ''You cannot do anything for the kids without doing something for their parents, too. That is why we have programs designed to help them improve themselves through education and job training, as well as opportunities for them to be involved in planning activities involving their children. We serve the entire family unit.''

Cecile is a perfect example of how Head Start can turn a family's life around. A struggling young mother with two children working in a daycare center, she was recruited by Head Start as a teacher, trained at New York University. Through Head Start, Cecile learned that looking out for her kids meant looking out for her community, and she became a tremendous advocate for her sons.

A struggling young mother with two children working in a day care center, she was recruited by Head Start as a teacher and trained at New York University.

Through Head Start, Cecile learned that looking out for her kids meant looking out for her community, and she became a tremendous advocate for her sons, and for the children of Paterson.

Cecile's four sons, two of whom were Head Start children, have grown up to be surgeons, engineers, and teachers.

Cecile and other Head Start advocates argue that the only problem with the program is that not enough eligible children can be served.

Nationwide, nearly 50 percent of three and four year olds who qualify by their parents' income have been denied this opportunity in the last few years. In Paterson alone, over 2,000 eligible children are on the waiting list.

A study by Rutgers University has reported that high quality pre-school more than pays for itself.

When children are enrolled in pre-school programs, mothers are better equipped to find stable, paying jobs. After these children leave school, they earn $143,000 more over their lifetimes and are less likely to need special education than other children.

This program has had tremendous success at improving educational and social outcomes for children, and is a good deal for the country: It costs American taxpayers a little more than $6 billion a year, or one third of one percent of the national budget.

I hope that the House today will vote for this good bipartisan bill, and will vote down any poison pill amendment that will allow hiring and firing on the basis of religious affiliation. This is anti-American.

It will be a shame if all the bipartisan hard work that has gone into crafting this worthy legislation was scuttled by the cynical attempts of a few to codify discrimination into our national laws.

No rule for more amendments should have been in order. I urge my colleagues in the House to continue to expand its support of a program that every American can be proud of.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the gentleman from Florida (Mr. HASTINGS). I have always enjoyed his comments in the Committee on Rules, and I have oftentimes agreed with his comments in the Committee on Rules.

I do disagree here about the concept of time and place and when this amendment should be discussed. I would point out that contrary to what we sometimes hear on the floor, the minority's first approach on this particular amendment was to try to ban it and take it off the table so it would not be discussed. That did not pass, and there will be a time for discussion. I am sure when the amendment is actually before us, it will be a remarkable discussion based on what we have had right now on the rule on if we discuss the amendment. But I appreciate very much the gentleman from Florida.

Mr. Speaker, I yield 2 minutes to the gentleman from Delaware (Mr. CASTLE), the sponsor of this piece of legislation; not the rule, but the sponsor of the legislation.

Mr. CASTLE. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise to say a couple of things. I will speak more when the bill is on the floor.

Mr. Speaker, we worked very hard to make this a piece of legislation that could be supported by all of us, and I think we succeeded on that, as was shown by the unanimous vote coming out of the Committee on Education and the Workforce.

There are a lot of issues. It is not quite as easy as it sounds. I thank the staff on both sides who had a great deal to do with that.

I also would like to say that I think the Committee on Rules has been extremely fair. I would hope that this is a rule that all Members could support. We may disagree, and in fact I disagree with a couple of the amendments, but I agree with most of them on both sides. I think there are some very good, positive suggestions, and I know sometimes we complain about closed rules, whatever, but this is certainly a rule that is not closed, that is going to allow a lot of opportunity for debate.

I have listened to part of the debate here on the faith-based that is going to go on all day, I suppose. There is disagreement with respect to that, which is unfortunate because it detracts from what is a piece of legislation that otherwise we could all support. But on the other hand, there are strong views on that and I think they have a right to be recognized, and a vote needs to be taken on that, too.

I would like to say that things have changed a great deal with how we look at Head Start. In fact, in some ways it was a poverty program when it began. It was basically a social service program to a great degree. We are now diverting it to more of an academic program. There is no question about that, and I think that is good. We need to get all of these kids up to the starting line, equal. That is what it is all about. If a child is 3 or 4, we need to give them that opportunity.

I think this legislation does that. I think we are all in that together. I think everybody in this building would agree that we need to do that. So I hope we keep that in mind as we look at our amendments and the legislation, and hopefully when the day is over we can move forward in helping these young people.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), my classmate and good friend.

Mr. SCOTT of Virginia. Mr. Speaker, I oppose the rule because it allows the Boustany amendment. Let us be clear. First of all, faith-based organizations sponsor Head Start programs now. They have and they will continue to. My own church hosted a Head Start program. They sponsor the programs, just like everybody else, on a level playing field. They have to use the money for Head Start and they cannot discriminate in employment.

Any organization that can sponsor a Head Start program under that amendment can do it anyway if they agree not to discriminate. We are talking just about discrimination. We are not talking about allowing groups to sponsor Head Start programs. We are talking about allowing them to discriminate in employment with the Federal money.

Now they can still discriminate with the church money, just not with the Federal money. This discussion really represents a profound change in civil rights discussions, because there was a time traditionally if an employer had a problem with somebody's religion, the employer has a problem because the weight of the Federal Government would come down supporting the victim. Now we are talking about what rights the group has to discriminate against the victim.

If we are talking about religion, we are also talking about race because if you can discriminate based on religion, some religions are virtually all white, others virtually all black. So if you can discriminate based on religion, you can discriminate based on race. Where is your moral authority to tell somebody with their private money what they can do and cannot do, if you are going to turn around and allow people to discriminate with Federal money?

Mr. Speaker, that is wrong and a rule that allows that is wrong. There used to be a time when parents would have to describe to their children why they could not eat at the lunch counter, why they had to sit in the back of the bus, why they could not get a job at certain firms. And now we are going to have to have parents tell children why they could not get a job at the Head Start program while their neighbors could get a job at the Head Start program.

I want to remind Members that any organization can sponsor the federally funded Head Start program now if they agree not to discriminate. We do not need to turn the clock back, and we also do not need a rule that allows this to ruin the Head Start program.

Mr. BISHOP of Utah. Mr. Speaker, I yield 2 minutes to the gentleman from Puerto Rico (Mr. Fortuño).

Mr. FORTUNO. Mr. Speaker, the Civil Rights Act of 1964 explicitly protects the rights of faith-based organizations to exercise their civil liberties and take religion into account in their hiring practices.

Actually, when faith-based groups hire employees on a religious basis, they are actually exercising their civil liberties. Faith-based organizations cannot be expected to sustain their religion mission without the ability to employ individuals who share the tenets and practices of their faith, because it is that faith that motivates them to serve their neighbors in trouble.

□ 1115

I can tell the Members about this. In my home district of Puerto Rico, I see this all the time. Actually, on the Head Start program in the San Juan metropolitan area, it has been run for years by the Catholic Church. Are we going to tell the Catholic Church whom they can hire and not hire for the good job they are doing? That is exactly what we are trying to do here. Actually, it will make it very difficult, make them liable for hiring practices when, in fact, what they are doing is that they are giving back to society in the way that no government entity can actually give back in the way that these religious organizations are giving back.

So essentially going back to my basic argument, since 1964 we have recognized this right of the religious organizations that are involved in these faith-based activities. We cannot turn back actually from what we did in 1964 by trying to impose new rules that will simply impair their capacity to handle what they are handling today in such an able way.

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

Mr. BISHOP of Utah. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Mr. Speaker, I thank the gentleman for yielding me this time.

These arguments are well rehearsed. We seem to go through these on a regular basis, and I certainly admire the tenacity with which the gentleman from Virginia (Mr. SCOTT) and others defend their position.

However, as has already been stated, the Civil Rights Act of 1964, I believe, does explicitly protect the rights of faith-based organizations to exercise their civil liberties and take religion into account in their hiring practices, and I do not know why we seem to continually have trouble assimilating that into our collective body of knowledge here.

When faith-based groups hire employees on a religious basis, they are exercising their civil liberties. The Civil Rights Act made clear when faith-based groups hire employees on a religious basis, it is an exercise of the groups' civil liberties. It does not constitute discrimination under Federal law.

I believe one of the major issues here is that faith-based organizations are allowed to maintain and sustain their mission. It does not mean that the people that they hire are discriminated against on the basis of what religion they have, what their ethnicity might be; but rather simply the ability to hire people who share their common beliefs, who share their sense of mission.

We certainly saw this in the recent rescue mission and aid issues down with Hurricane Katrina, where a great number of faith-based groups were the most efficient groups that we saw on the ground there. And, certainly, they should have the right to bring those people in who share their beliefs, even though they may have been receiving in some ways Federal dollars.

The same thing is true with Head Start. People must be hired in a way that they do share a common sense of mission, a common sense of purpose. Otherwise, these organizations would be totally disrupted in what they are trying to get done.

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

Mr. BISHOP of Utah. Mr. Speaker, I yield 2 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Speaker, as we consider the rule, I want to speak on some important amendments that are going to come up to provide important protections for religious organizations. If we do not insert these important protections for these organizations, we will be dictating to them whom they can or cannot hire. We must maintain the integrity of religious entities.

The Constitution of the United States explicitly states that Congress shall make no law prohibiting the free exercise of religion. Not allowing our churches, mosques, and synagogues to hire people of like mind and similar beliefs is not only an affront to their very core but contrary to this great Nation's Constitution.

I am proud to be an American for so many reasons, first among them because I am able to think, speak, and believe whatever I want freely, as stated in the first amendment to our Constitution. Denying religious organizations the ability to hire an employee because of his or her beliefs is to take away that employee's right to think, speak, and believe as he or she so chooses.

We are not talking about allowing religious organizations to brainwash children to think as they do. We are talking about allowing religious organizations simply to be able to provide the same services and programs as nonreligious organizations. Our children deserve the very best education; and if a religious organization is going to provide that education better, then we must not stand in the way.

Are we going to deny many of the poorest and less fortunate children the opportunity to learn in these early childhood education programs simply because it is a church that is administering it? This is about our children,

and denying them exemplary services just because the organization providing them happens to be a religious one is just cruel.

I think we all know firsthand the impact that our churches have and how much they contribute to our communities across the Nation. And we all know how much they give back to their communities.

This Nation is second to none in charitable giving and at helping others in need. This is not just a religious tenet, but an American principle. We need to support this rule.

Mr. BISHOP of Utah. Mr. Speaker, I yield 4 minutes to the gentlewoman from Pennsylvania (Ms. HART).

Ms. HART. Mr. Speaker, I thank the gentleman for yielding me this time.

I rise in support of the rule, but most especially in support of the rule allowing for the offering of the amendment by the gentleman from Louisiana (Mr. BOUSTANY). This amendment is clearly dominating a lot of the discussion this morning regarding the rule. It is the one that protects faith-based Head Start providers, and it is so important for us to be very sensitive about this issue as we look to those who are willing to provide some very difficult services and ones that certainly the providers must be very interested in as far as the well-being of the student, the well-being of the families involved in these programs. Certainly, faith-based organizations are first in mind when it comes to providing the services that require the most care, and we would be remiss in not providing an opportunity for this amendment to be adopted. This rule does allow that, and this rule is very well crafted. And I support it for that very reason.

We the Congress have specified in several statutes that religious organizations that receive Federal funds in the form of grants or contracts must not lose their Title VII exemption. In fact, former President Bill Clinton signed four laws that explicitly allow faith-based groups to staff on a religious basis when they receive Federal funds. They should not be discriminated against. If we tell faith-based groups they cannot hire on a faith basis in order to receive Federal funds, then we will force those organizations out of providing these services.

Some examples of laws that we have passed that allow for faith-based groups to continue to hire on their continued basis are the Personal Responsibility and Work Opportunities Reconciliation Act, or Welfare Reform of 1996; the Substance Abuse and Mental Health Services Administration Act of 1998; the Community Service Block Grant Act, which everyone has been very supportive of; as well as the Community Renewal Tax Relief Act of 2000.

We have had debates before regarding faith-based groups being involved in government contracting. It would be a huge error for us to exempt the most caring, conscious, and helpful organizations, especially from Head Start contracts. Those groups should not be forced to hire anybody off the street simply because they have a Federal contract. They should hire the best people and the ones who are most capable of carrying out their mission. The very reason why many of these organizations will win the contracts is because they have the best track record of service and results. What more important place is there for us to care about results than in Head Start?

I think it is important for us, as Members of the United States House of Representatives, to be very careful as we move forward on this bill. The Committee on Education and the Workforce has worked very hard to craft it. They are very concerned about making sure that students get every advantage at that early age. We need to contract with the organizations that can best provide the service.

Mr. EDWARDS. Mr. Speaker, will the gentlewoman yield?

Ms. HART. I yield to the gentleman from Texas.

Mr. EDWARDS. Mr. Speaker, I respect the gentlewoman's views, but let me ask her this question: What is right about letting a group take her or my tax dollars and put out a sign that says ''Jews nor Catholics need not apply here for this Head Start job''? What is right about that?

Ms. HART. Mr. Speaker, reclaiming my time, the gentleman, again, is trying to inflame what I think is really an unreasonable discussion in this conversation.

The point of faith-based providers is that they are mostly obviously church people who have a mission. They want to provide a service. They are not discriminating against others. They are encouraging service within their church, and we should allow them to provide that service because we know that they have the best track record of success.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of my time.

When I was a child, my grandmomma took me to churches. She played piano for all of the churches in town, four in Altamonte Springs. Sometimes I did not know whether I was going to be sprinkled and be baptized here or repent and be baptized. It was very difficult, but all of the children in that town went to all of the churches.

For 41 years Head Start has existed, and it is the most empirically collected database organization supporting the children of the United States of America. And for all of those 41 years, all of these faith-based organizations have been involved in receiving contracts to do business. What we are saying is they cannot do it with Federal dollars. They have to do it with their own money.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as we conclude the debate on this rule, I would remind people that the underlying bill provides for the Head Start program in many different areas. It provides for academic refocusing on class readiness and to close the class readiness gap. It provides for competition to improve the quality and to meet questions of mismanagement of financial abilities. It provides for a closer tie to State curricula and to local ties which will improve it, and it also provides, if the amendment is adopted, for faith-based institutions to actually help kids.

We have an opportunity to discuss 12 amendments plus the underlying bill, and we have an opportunity to hit a home run for kids. That is the goal that we still have.

Mr. Speaker, this is a good and balanced rule, and I urge the Members to support this rule.

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

The previous question was ordered.

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

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

Mr. HASTINGS of Florida. 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.

Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of House Resolution 455 will be followed by a 5-minute vote on agreeing to the Speaker's approval of the Journal.

The vote was taken by electronic device, and there were—yeas 221, nays 189, not voting 23, as follows:

[Roll No. 486]

YEAS—221

Aderholt	Coble	Gilchrest
Akin	Cole (OK)	Gillmor
Alexander	Conaway	Gingrey
Bachus	Crenshaw	Gohmert
Baker	Cubin	Goode
Barrett (SC)	Culberson	Goodlatte
Bartlett (MD)	Cunningham	Granger
Barton (TX)	Davis (KY)	Graves
Bass	Davis, Jo Ann	Green (WI)
Beauprez	Davis, Tom	Gutknecht
Biggert	Deal (GA)	Hall
Bilirakis	Dent	Harris
Bishop (UT)	Diaz-Balart, L.	Hart
Blackburn	Diaz-Balart, M.	Hastings (WA)
Blunt	Drake	Hayes
Boehlert	Dreier	Hayworth
Boehner	Duncan	Hensarling
Bonilla	Ehlers	Herger
Bonner	Emerson	Hobson
Bono	English (PA)	Hoekstra
Boozman	Everett	Hostettler
Bradley (NH)	Feeney	Hulshof
Brown (SC)	Ferguson	Hunter
Brown-Waite, Ginny	Fitzpatrick (PA)	Hyde
Burgess	Flake	Inglis (SC)
Burton (IN)	Foley	Issa
Buyer	Forbes	Istook
Calvert	Fortenberry	Jenkins
Cannon	Fossella	Jindal
Cantor	Foxx	Johnson (CT)
Capito	Franks (AZ)	Johnson (IL)
Carter	Frelinghuysen	Johnson, Sam
Castle	Gallegly	Jones (NC)
Chabot	Garrett (NJ)	Keller
Chocola	Gerlach	Kelly
	Gibbons	Kennedy (MN)

King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—189

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boucher
Boyd
Brady (PA)
Brown (OH)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—23

Boswell
Boustany
Brady (TX)
Brown, Corrine
Camp
Conyers
Davis (IL)
DeLay
Doolittle
Fattah
Green, Gene
Hefley
Hinojosa
Jackson-Lee (TX)
McMorris
Millender-McDonald
Murtha
Ortiz
Peterson (MN)
Poe
Rush
Sabo
Weller

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote) (Mr. LATHAM). There are 2 minutes remaining in this vote.

□ 1151

Messrs. FRANK of Massachusetts, SCOTT of Virginia, RANGEL, and MOLLOHAN changed their vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Miss. McMORRIS. Mr. Speaker, on rollcall No. 486 I was unavoidably detained. Had I been present, I would have voted ''yea.''

THE JOURNAL

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to clause 8 of rule XX, the pending business is the question of agreeing to the Speaker's approval of the Journal on which the yeas and nays are ordered.

The question is on agreeing to the Speaker's approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 346, nays 59, answered ''present'' 1, not voting 27, as follows:

[Roll No. 487]

YEAS—346

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berkley
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boyd
Bradley (NH)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Cannon
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Drake
Dreier
Duncan
Ehlers
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Farr
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green (WI)
Green, Al
Grijalva
Gutierrez
Hall
Harman
Harris
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinchey
Hobson
Hoekstra
Holden
Honda
Hooley
Hoyer
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
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Ney
Northup
Norwood
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Osborne
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Owens
Oxley
Pallone
Pascrell
Pastor
Payne
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Pelosi
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Peterson (PA)
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Price (GA)
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Ros-Lehtinen
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Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sánchez, Linda T.
Sanders
Saxton
Schiff
Schmidt
Schwartz (PA)
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Scott (GA)
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Sensenbrenner
Serrano
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Westmoreland
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Wilson (NM)
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Wolf
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Young (AK)
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Becerra
Berry
Brady (PA)
Capito
Capuano
Chandler
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DeFazio
English (PA)
Evans
Filner
Fitzpatrick (PA)
Ford
Fossella
Graves
Gutknecht
Hart
Hastings (FL)
Holt
Hulshof
Johnson, E. B.
Kucinich
Larsen (WA)
Latham
LoBiondo
Marshall
Matheson
McCotter
McDermott
McGovern
McNulty
Meek (FL)
Miller, George
Moran (KS)
Oberstar
Olver

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Thompson (MS)
Tiahrt
Tiberi
Udall (CO)
Udall (NM)
Velázquez
Visclosky
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ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—27

Berman
Blunt
Boswell
Boustany
Brady (TX)
Brown, Corrine
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Cantor
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Doolittle
Edwards
Fattah
Green, Gene
Hefley
Hinojosa
Hostettler
Jackson-Lee (TX)
Millender-McDonald
Murtha
Ortiz
Paul
Poe
Rush
Sabo
Weller

□ 1159

So the Journal was approved.

The result of the vote was announced as above recorded.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE ATTORNEY GENERAL

Mr. COBLE, from the Committee on the Judiciary, submitted a privileged report (Rept. No. 109–230) on the resolution (H. Res. 420) directing the Attorney General to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the Attorney General relating to the disclosure of the identity and employment of Ms. Valerie Plame, which was referred to the House Calendar and ordered to be printed.

SCHOOL READINESS ACT OF 2005

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 455 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. 2123.

□ 1202

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. 2123) to reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes, with Mr. LATHAM 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 Ohio (Mr. BOEHNER) and the gentlewoman from California (Ms. WOOLSEY) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio (Mr. BOEHNER).

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

Mr. Chairman, I rise today in support of this bill to reform and reauthorize the Head Start early childhood program.

I want to commend the chairman of the Subcommittee on Education Reform, the author of this bill and my good friend, the gentleman from Delaware (Mr. CASTLE). I also want to recognize the gentlewoman from California (Ms. WOOLSEY) and the gentleman from California (Mr. GEORGE MILLER) for their work to strengthen the Head Start program.

The School Readiness Act will introduce greater competition into the Head Start program and use that competition to leverage reforms that will result in a better program for the children Head Start was created to serve.

This bill will strengthen school readiness and increase the role of all 50 States and local communities in Head Start. It will protect children and taxpayers against the abuse and mismanagement of Head Start funds, and it will make Head Start more transparent and more accountable to parents and taxpayers.

I am pleased at the approach that this bill takes to solve the school readiness gap between Head Start children and their peers when they reach kindergarten.

There is no question that most Head Start children are better off in the program than they would have been without it. That is not in dispute here. But there is evidence that some Head Start centers could be doing an even better job of providing preschoolers with the academic foundation they need in order to succeed in school.

This bill will strengthen Head Start's academic standards by emphasizing cognitive development and the results of scientifically based research and topics critical to children's school readiness. It will also improve teacher quality by ensuring a greater number of Head Start teachers have degrees and are adequately trained in early childhood development, particularly in teaching the fundamentals.

I am particularly pleased about how the bill will improve coordination between Head Start and State and local early childhood education programs. We are going to improve program integration in all 50 States by encouraging cooperation and program coordination from the ground up.

The bill also addresses weaknesses in the Head Start financial oversight structure that have allowed the mismanagement and outright abuse of Federal funds meant for disadvantaged children. Local media outlets across the Nation have documented more than a dozen instances of financial mismanagement involving millions of dollars and thousands of children. This lack of program integrity and financial accountability is unacceptable. The Federal Government is investing nearly $7 billion per year in Head Start, and every dime should be going to support disadvantaged children.

The GAO, the Government Accountability Office, in a report that we requested, found that the financial management weaknesses in Head Start are resulting in diminished services for children. Unfortunately, there is currently no system in place to assure parents and taxpayers that these types of abuses will be prevented. This is unfair to parents and children. It is unfair to taxpayers. And it is unfair to the many high-quality, hard-working, law abiding people who operate Head Start centers across the country who should not be associated with the deeds of these bad actors.

Head Start is an important program entrusted with a vitally important mission. The vast majority of those in Head Start are honest individuals dedicated to making sure the poorest of our Nation's children have a chance to succeed.

The School Readiness Act takes critical steps to support quality Head Start programs and the children they serve by encouraging quality through competition, strengthening transparency and disclosure, and improving the financial oversight structure to protect children and taxpayers.

I would like to address one more issue that is the subject of great debate today. In numerous Federal programs across the country, faith-based institutions that want to lend a helping hand and providing critical social services are allowed to do so without changing the fundamental character of their organization. Former President Bill Clinton, for example, signed four bills into law that explicitly protected the hiring rights for faith-based organizations when participating in Federal programs.

The Head Start program unfortunately provides no such protections to these organizations. To the contrary, faith-based organizations are forced to relinquish their protected right to hire individuals who share their beliefs or they are not allowed to participate in the program at all. For many faith-based organizations, it is their very nature to offer help and support the neediest among us. Their efforts in response to Hurricane Katrina serve as just one more example.

Their mission defined by their faith is to serve their community. Yet, when they seek to participate in federally funded programs for this purpose, they must forfeit the identity that drives them to serve.

Today I urge Members to support an amendment that I will be offering on behalf of the gentleman from Louisiana (Mr. BOUSTANY) to restore the hiring protections in the Head Start program so that faith-based institutions can participate fully without giving up their mission and character that make them such an effective partner for programs like Head Start that serve those in need.

Once again, I would like to thank the author of the bill, the gentleman from Delaware (Mr. CASTLE), for his hard work on behalf of the nearly one million children served each year by the Head Start program. We have got a strong bill that will help give disadvantaged children the head start they need

to succeed in school and in life. I urge my colleagues to support the bill.

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

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

Mr. Chairman, this debate reminds me of the old saying, I have got good news and I have got bad news.

The good news is that our committee worked in a bipartisan way to report out a bill by a vote of 48 to zero. And I want to thank our ranking member, the gentleman from California (Mr. GEORGE MILLER); our chairman, the gentleman from Ohio (Mr. BOEHNER); and the subcommittee chair, the gentleman from Delaware (Mr. CASTLE), for making that possible, as well as all the members of the committee.

This bill is a great step forward from where we were last Congress. First and foremost, the bill protects the high quality of Head Start programs by protecting local control of those programs. In other words, there is no State block granting. The bill also increases funding to migrant and seasonal and Indian Head Start programs, strengthens teacher qualification requirements, and limits uses of the administration's ill-conceived national testing system.

But there is also bad news. First, even though fewer than half of eligible children receive Head Start services, and even though the number of children served has been going down under the Bush administration, this bill does nothing to increase the number of children who will receive these critical services.

Second, this bill does not increase resources to help Head Start programs hire the better qualified teachers that the bill requires. It is unusual for me to be the one explaining to my Republican colleagues how market forces work, but in this case it is pretty clear they do not get it. More highly qualified teachers will cost more money, and we are demanding more qualified teachers without providing the necessary financial support. That is the good news and the bad news.

Now, here is the worst news, which is actually a poison pill for this bill. The majority has decided to choose religious discrimination over what could have been a rare bipartisan achievement. That probably sounds hard to believe, but it is true.

Under current law, religious organizations can and do receive Head Start funding. They also can only hire members of their faith when they use their own funds. So I ask you, what is the problem? Apparently, the problem is that religious organizations want to discriminate in hiring when they are using public funds, your tax dollars. Well, actually, religious organizations have never asked any of us to waive their discriminatory rights and privileges that they are asking for over on the other side of the aisle.

Under the Boustany amendment, a prospective Head Start teacher could face a religious test before being hired. This amendment is unnecessary. It is wrong. I will not support a final bill that includes it.

Head Start kids are enough at risk as it is, without their teachers being chosen because of their religion, rather than because they are actually the best qualified.

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

Mr. BOEHNER. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. PUTNAM) for purposes of a colloquy.

Mr. PUTNAM. Mr. Chairman, I appreciate the gentleman for yielding me time.

I thank the chairman for agreeing to this colloquy in order to shine a light on an unfortunate recurring situation in some Head Start agencies.

Stories of corrupt agencies have been surfacing recently all over the Nation, complete with allegations of administrators' misconduct with Federal funds and financial conflicts of interest between board members and vendors.

Accountability is a critical component of this reauthorization, and I thank the chairman for his commitment for addressing it.

On February 10 of this year, I introduced H.R. 778, the Head Start Accountability Act of 2005, to address the misuse and abuse of Federal funds occurring in an agency in my district as well as others. The Polk County Opportunity Council has had a decade-long history in fundamental flaws in both operations and management. PCOC has displayed an obvious lack of internal controls and, worse, a blatant disregard for its fiduciary responsibilities associated with proper stewardship of Federal grant funds.

There is documented evidence that this organization has misused Federal dollars and made several excessive and unnecessary expenditures, including the approval of $150,000 for repairs to a parking lot, repairs that had a quoted cost of just $20,000.

□ 1215

They also obtained $90,000 in Federal funds to repair some Head Start facilities reportedly damaged in last summer's hurricanes that tore through Florida. However, their insurance inspection determined that the facilities had no damage. I could go on and on listing examples of financial mismanagement at this agency.

I introduced the Head Start Accountability Act to immediately address the seemingly unending pattern that was developing in that agency and similar organizations. H.R. 778's major provisions would address the most glaring improprieties. Among the provisions in H.R. 778, the bill calls for automatic recompetition of all Federal Head Start Federal grants every 5 years, establishes new board requirements, adds tighter fiscal control requirements at the local level.

Mr. Chairman, I thank the gentleman for recognizing the importance of these provisions and including the key principles in this reauthorization. Under his leadership, we are finally moving toward financial accountability. I look forward to working with my colleague in the future toward further refinement of these accountability measures.

Mr. BOEHNER. Mr. Chairman, will the gentleman yield?

Mr. PUTNAM. I yield to the gentleman from Ohio.

Mr. BOEHNER. Mr. Chairman, I want to thank the gentleman from Florida (Mr. PUTNAM), my friend and colleague, for his efforts. His contributions and commitment to Head Start and the financial accountability that needs to exist within the program are so important.

Many of the accountability principles that were outlined in the gentleman's bill, H.R. 778, have been included in the School Readiness Act, and these reforms I think are critical if we are going to ensure grantees are effectively managing taxpayer dollars and also to ensure that funding is targeted most effectively for purposes that support the program's goal of preparing kids for school.

So, with that, I want to thank the gentleman for his contributions.

Mr. PUTNAM. Mr. Chairman, I thank the chairman for his dedication to improving the Head Start program.

Mr. BOEHNER. Mr. Chairman, I reserve the balance of my time.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. KILDEE), a member of the Committee on Education and the Workforce.

Mr. KILDEE. Mr. Chairman, I thank the gentlewoman for yielding me time.

I would also like to thank the committee leadership on both sides of the aisle for ensuring that all interested parties had a seat at the table during our second try at reauthorizing the Head Start program.

We also owe our thanks to the staff who have worked tirelessly to help get us to where we are today.

I want to specifically thank Ruth Friedman for her years of work on behalf of the Head Start children.

While this bill is not perfect, it is a remarkable improvement from last Congress and is a good example for the progress that can be made through bipartisan cooperation.

All of us know Head Start is a critically important program that provides much-needed services to some of our most disadvantaged children and their families.

I would like to thank the gentleman from Arizona (Mr. GRIJALVA), the gentleman from Michigan (Mr. EHLERS), and the gentleman from Texas (Mr. HINOJOSA) for their advocacy for migrants and Native Americans.

Currently, Indian Head Start is funded at approximately 2.9 percent of the Head Start budget. H.R. 2123 would establish a 3.5 set-aside for Indian Head Start, allowing programs to benefit from approximately $45 million in additional resources, and I want to thank

particularly the gentleman from Ohio (Mr. BOEHNER) for putting that in his chairman's mark.

This bill is a significant departure from our efforts last Congress to reauthorize Head Start. All committee members should be proud of the bipartisan work on this legislation. I strongly support the bill as it was passed out of the committee.

However, I would be remiss, Mr. Chairman, if I did not express my concern over the amendment allowing religious discrimination that will be considered today.

This bill represents a genuine bipartisan compromise. Again, I would like to thank all parties that worked together in crafting this bill.

Mr. BOEHNER. Mr. Chairman, I am pleased to yield 6 minutes to the gentleman from Delaware (Mr. CASTLE), the author of the bill and the chairman of the Subcommittee on Education Reform.

Mr. CASTLE. Mr. Chairman, I thank the chairman for yielding me time, and I also thank him for his tremendous work in bringing this bill together. It is not always that easy. He has done a superb job working with the other side.

I do rise today to ask everybody here to support the legislation which will reauthorize the Head Start program. I, like I think most of us, if not all of us, believe very strongly in the Head Start program, and I believe that this act emphasizes every child, regardless of his or her economic status, should have the best chance possible to succeed.

In 1965, Head Start was created to give economically disadvantaged children access to the same educational, health, nutritional, social, and other services that were enjoyed by their more affluent peers. The goal of the program was, as it remains today, to provide children a solid foundation that will prepare them for success in school and later in life.

As the centerpiece of the Federal Government's efforts to support quality early childhood education for our Nation's most disadvantaged youth, Head Start has served nearly 20 million low-income children and their families. Currently, Head Start serves over 900,000 children every day and has nearly 1,600 grantees across the United States. In my home State of Delaware, Head Start programs serve over 1,500 children, with almost 500 additional 4-year-olds receiving assistance through State government funding.

We all can agree on the need for Head Start and its successes. We must also recognize Head Start can produce even greater results for children. Children who attend Head Start programs start school more prepared than those with similar backgrounds that do not attend Head Start. However, Head Start students continue to enter kindergarten well below national norms in school readiness. By moving to close the school readiness gap, this bill will improve results for almost 1 million Head Start students across the Nation.

Towards the goal of closing the readiness gap, the School Readiness Act strengthens Head Start's academic focus while maintaining its comprehensive nature that is imperative to its success. The bill improves the academic focus of the program by establishing new quality standards that ensure enrolled children develop and demonstrate language skills; pre-reading knowledge; including an interest in and appreciation of books; reading and writing; pre-math knowledge such as recognition of numbers and counting; cognitive abilities related to academic achievement; and social development important for environments constructive for child development, early learning, and school success.

Research clearly and consistently demonstrates a link between the learning potential of children and the level of education and training of classroom teachers. For that reason, we improve the quality of teachers in Head Start classrooms by requiring that, in time, 50 percent of all Head Start teachers nationwide must have a baccalaureate degree.

I am sure some of my colleagues were pleased to learn that this bill does not include a block grant or a State demonstration project. I believe strongly, however, in the policy goals of coordination and integration that were at the heart of the demonstration project incorporated in the legislation I introduced last Congress. We continue to believe it is essential to remove barriers and prevent collaboration between Head Start and successful State and local early childhood initiatives, and I believe the proposal we are offering will, in fact, go further to foster integration among quality early childhood programs.

About 40 States, including Delaware, have established some form of early childhood education, because States recognize that these services can make a real difference in preparing children for a successful future. Various local initiatives have been launched, and today, disadvantaged children and families have access to programs and services from a wide range of sources. Some of these programs rival or exceed the quality of Head Start, while others fall short. Head Start is no longer the only option for early childhood education. We must ensure that all children are receiving the same quality education. In this new era, Head Start should be working towards integrating services with other school readiness programs, not competing against them.

Where we previously would have allowed no more than eight States to improve Head Start coordination with State and local efforts, this bill will ensure programs in all 50 States are able to increase collaboration. We are encouraging Head Start grantees to align their academics with State-developed K-through-12 content standards, as well as to have a more active partnership with local school districts that serve the same communities. This will help to facilitate a smooth transition to kindergarten for their students. Finally, we are asking early childhood providers in a State, including Head Start, preschool and child care, to come together to identify ways to integrate school readiness initiatives across the State.

As I have said, I believe in the program, particularly because of how the program helps children later in their academic lives. Despite these stories, we have also heard many stories of programs in which funds were being diverted away from this purpose. The GAO recently released a report that warned the financial control system in the Federal Head Start early childhood program is flawed and failing to prevent multimillion-dollar financial abuses that cheat poor children, taxpayers, and law-abiding Head Start operators.

The GAO made a couple of recommendations on how we can strengthen the oversight structure to prevent abuses and protect good grantees. It recommended that increased competition in the program could help weed out poorly performing grantees and ensure high-quality services are available to children and families. In response to the GAO's recommendations, we are increasing the competitive nature of current program. The competition requirements in the School Readiness Act will help to alleviate these programs, but more importantly, will drive program improvement across the board, program improvements that will ultimately help thousands of children nationwide, which should always be our goal.

This is an important and a very popular program. The importance of early childhood education services cannot be overstated, and I believe strongly in the reforms which are here.

I would say finally, although we may have some disagreement about some of the amendments on this legislation, that ultimately getting all these children up to the starting line equal in school, and particularly those who are at 100 percent of poverty or less, is in the best interests of all of us in Congress and all the kids out there in the United States of America.

I hope we can go forward with good legislation to make a very good program even better than it is.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Chairman, years ago it was enough to have an education from kindergarten through 12 years, and now it is not enough. People know that you have to have a couple or 3 years before kindergarten and 2 to 4 years afterwards. It is now essential. It is a priority to have early childhood education. It is a difference between a child's future development and learning advantages, especially for those students that are disadvantaged like the ones that are served by the Head Start program. It makes them prepared for school.

A national review of 36 studies on the long-term impact of early childhood education programs found that low-income children who participated in such programs were less likely to be held back, less likely to be placed in special education classes, more likely to succeed in school, more likely to graduate, and more likely to be rated as behaving well in class and better adjusted in school.

Researchers have also concluded that there is a greater chance of these positive outcomes when young children are taught by teachers with bachelor's degrees in early childhood education. One of the largest national studies in this early education field was conducted by the National Institute for Child Health and Human Development. It showed that caregiver education and training were among the strongest predictors of quality in programs for preschoolers.

That is why it is a good thing that this bill has in it a provision that half of the Head Start teachers have to hold bachelor's degrees within a few years. That is an admirable goal.

We talked in committee about the fact that it is necessary for us to try to help that population of teachers be able to afford that. In Massachusetts, my State, they make less than half the salaries of kindergarten teachers. The national average is almost as bad.

I congratulate the chairman for working with us on the Higher Education Act to make sure there is a loan forgiveness program, $5,000 for 5 years commitment to teach early childhood education, that will help with this particular issue.

Significant improvements have been made to this Head Start bill. That is why it was unanimous approval essentially in committee. I am afraid some of the recommendations that are being put forward in the amendments here today are spectacular efforts to drive a wedge between the parties on this, to make it a less-than-unanimous bill. It is unnecessary, it is unfortunate, and I hope there is no discrimination in hiring practices. We can do better than that and pass a bill that is worthy of this Congress and helpful to the United States people.

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

There has been a great deal of effort been put into this bill on a bipartisan basis, and it has been pointed out it came out of committee 48–0.

One of the reasons that there is some concern is that Members on both sides of a question over the role of faith-based organizations, there are meaningful differences on both sides, but we have nothing to fear in allowing the House to work its will.

I respect those views of others who do not believe that if a faith-based organization takes a dollar of Federal money, they should give up their rights protected by the 1964 Civil Rights Act, but there is no reason to fear allowing the House to make that decision.

So, later today, we will have an amendment that I will offer on behalf of the gentleman from Louisiana (Mr. BOUSTANY) to allow those organizations to have their rights protected under the 1964 Civil Rights Act and still provide these necessary services.

Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Chairman, I thank the chairman for yielding me the time.

I rise in strong support of H.R. 2123, the School Readiness Act of 2005.

As a former Head Start volunteer, I know firsthand the tremendous benefits this program has delivered for children, but never did I think that summer, the first year of Head Start's existence, that I would one day be a part of the Congress in reauthorizing Head Start.

During the full committee markup for this legislation, I was pleased to join with my colleagues, the gentleman from Pennsylvania (Mr. PLATTS) and the gentleman from Maryland (Mr. VAN HOLLEN), in offering an amendment that will provide some commonsense flexibility for Head Start centers to use the open slots for the early Head Start program.

□ 1230

Mr. Chairman, the Committee on Education and the Workforce learned that more Head Start-eligible children ages 3 to 5 are participating in State prekindergarten programs because there are more of them, leaving some of the Head Start programs with unused slots. But because of the high need for infant child care, Early Head Start programs, the early ones, serving children from birth through age 3, maintain long waiting lists. This amendment will allow those Head Start centers that have vacant slots to use the funding to serve eligible infants and toddlers through the Early Head Start programs.

As a mother and grandmother, I can tell you firsthand that the first years of a child's life are crucial to his or her development. Research has shown time and time again that infants who receive the high-quality child care and early education programs do better in school, have more developed social skills, and display fewer behavior problems. The amendment allows a commonsense way to expand these services to those who certainly can benefit from them.

I would like to thank the chairman of the committee, the gentleman from Ohio (Mr. BOEHNER); the chairman of the subcommittee, the gentleman from Delaware (Mr. CASTLE); and the members of the committee for supporting this amendment in the full committee markup. I am pleased it was incorporated into the bill we are considering today, and I urge my colleagues to support the Head Start bill.

Ms. WOOLSEY. Mr. Chairman, I yield myself such time as I may consume to respond to the chairman of the committee.

The rights for faith-based organizations are already protected when they use their own funds. We are talking about using Federal funds, taxpayers' dollars, or they are talking about it, in order to enhance religious discrimination. That is what we oppose.

Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ), the Chair of the Democratic Caucus.

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

Mr. MENENDEZ. Mr. Chairman, I appreciate the gentlewoman yielding me this time.

At a time when our country is grasping with how to deal with ongoing gaps in wealth, poverty, and education, we must recognize that Head Start is a critical component to helping those children at a disadvantage get on a more equal ground. As we know all too well, the achievement gap that continues to plague our country has early roots, and the sooner we can help young people gain valuable skills, get good nutrition, and provide them with a comprehensive early education, the better chance we have of improving their future.

While this bill does strengthen the program for the over-900 children served, there are still far too many children starting kindergarten at great disadvantage. In my State alone, nearly 20,000 students benefit from Head Start; but we know that over half a million children in New Jersey are eligible and never get a chance to get on that equal footing. It is those children we must think of as we seek to improve this bill.

I am relieved we are debating a bill that does not produce devastating effects on this program, but instead keeps it intact and provides a number of improvements. But I hope the end product will reflect those efforts and will not end up poisoning the bill by repealing civil rights and discrimination protections. If for over 30 years religious institutions have not had a problem providing Head Start services, why would the Congress of the United States now sanction and permit discrimination and violate civil liberties? It is simply not in the national interest, and it is the wrong action and the wrong lesson to teach our children.

In this bill we are asking more from our early childhood educators, yet we are not providing them with more. We must be realistic about the challenges this creates. The estimated cost for half of all Head Start teachers to earn a bachelor's degree by 2008, as the bill calls for, is an estimated $2 billion over 5 years. We need to work to attract talented individuals to continue to enter the field, not make it harder for them to stay in it.

Mr. BOEHNER. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. Mr. Chairman, I thank the chairman for yielding me

this time and allowing me to participate in this discussion.

We know that children who begin kindergarten and first grade prepared both socially and mentally to learn have a much greater opportunity of success, not just in school but in life. Improving the quality of Head Start should be a priority for all of us.

One of the greatest challenges of any Federal program is to ensure that hard-earned taxpayer money is used only for the purpose intended, and the current Head Start program does not live up to that principle. The need for safeguards and accountability are needed now more than ever.

The School Readiness Act addresses financial management weaknesses found in the current Head Start system and publicly documented in various news accounts. There is disturbing evidence that a sizable share of Head Start funding never reaches its target: disadvantaged children. Instead, the money is being lost to waste, financial abuse, and mismanagement; and there are collective media accounts that suggest that the problem is not isolated.

The director of a Head Start program in Gardenville, Maryland, was indicted on charges that she stole more than $350,000 from the organization over a 4-year period. Imagine if this money were spent on students rather than stolen from Head Start.

A former director of a Head Start program in Charleston, West Virginia, was sentenced up to 5 months in Federal prison after admitting he used an agency credit card for a personal trip to the Kentucky Derby and preparing a false invoice for computer repairs. Rather than investing money in student nutrition, this director took this money from school cafeterias and went to the horse races.

The executive director of the Kansas City, Missouri, Head Start operation earned a salary in excess of $300,000 annually and drove a luxury SUV, leased in part with Federal Head Start funds. The gentleman has since resigned. Head Start was never intended to provide for six-figure salaries and luxury cars.

The Department of Justice gained a guilty plea from an executive director of a Lubbock, Texas, Head Start program after he embezzled more than $800,000 over 2 years and diverted part of the money to a local restaurant.

Mr. Chairman, it is a priority of this Republican Congress to ensure that the necessary financial controls are in place to safeguard against these abuses and to protect the public's confidence in this important school readiness program. Safeguards against financial abuse in this bill include an independent financial audit annually, an annual report detailing how their money is spent and the sources of their funding, oversight by a local governance board, and a requirement that administrative costs may not exceed more than 15 percent of the total program cost.

Congress must not ignore the evidence that much money invested in the Head Start program currently never reaches the disadvantaged children it is intended to serve. I commend the chairman for his leadership and the leadership of the subcommittee chairman, the gentleman from Delaware (Mr. CASTLE), for this bill; and I urge all Members of the House to support H.R. 2123.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND), a member of our subcommittee.

Mr. KIND. Mr. Chairman, the evidence of financial mismanagement is real, and I believe the committee has taken steps in this bill to try to address that, and this authorization bill goes a long way to do that. But as a member of the Committee on Education and the Workforce, I have had the chance to visit all of my Head Start centers in western Wisconsin. You cannot help but walk away from that with an overwhelming feeling of pride and sense of security that those kids are receiving very professional, caring treatment in those Head Start centers.

Head Start has been one of the most successful anti-poverty programs ever created. It is also the most poked, prodded, picked, analyzed, and surveyed program in the Federal Government; and for the last 40 years it has withstood the test of time. It consistently ranks at the top of participant satisfaction surveys compared to any other Federal program.

I commend the leadership of the committee, the chairman, the gentleman from Ohio (Mr. BOEHNER); and the subcommittee chairman, the gentleman from Delaware (Mr. CASTLE); and the ranking members, the gentleman from California (Mr. GEORGE MILLER) and the gentlewoman from California (Ms. WOOLSEY), for putting together a good bipartisan bill that we were able to report out 48 to zero in committee, because there is a right and a wrong way to reauthorize this important program.

The right way is to enhance integrated services, increase accountability, tighten up the financial oversight, and require highly qualified teachers. A wrong way is to continue to leave behind over 400,000 students who currently qualify, but cannot go to Head Start because of inadequate resources. A wrong way is to allow the legal discrimination against an individual based on religion.

Later this afternoon, I will be offering my own amendment that would allow the National Research Council of the National Academy of Sciences to establish proper standards and assessments so we can properly measure the progress of these kids. The current national reporting system is not working well, and we need to make sure that we get the measurements and the testing of these children done correctly at this very early age so we do not do any harm. I will ask my colleagues to support my amendment when it comes up later.

Mr. Chairman, I join educators, parents, and Head Start staff from Wisconsin as well as many of my colleagues here today in support. of reauthorizing Head Start. This program has helped millions of high-risk children from impoverished families achieve academic success.

Since the creation of Head Start 40 years ago, there has always been bipartisan consensus to continue this program that serves more than 13,000 children in Wisconsin and 2,000 in the Third Congressional District. As a member of the House Education and Workforce Committee, I am pleased to have had the opportunity to work with my colleagues on both sides of the aisle to produce the best possible bill. I would like to thank Chairman BOEHNER, Representative CASTLE, Ranking Member MILLER, and Representative WOOLSEY for their leadership and commitment to our children in crafting this legislation.

I also would like to thank those people in western Wisconsin who have advised me throughout reauthorization. They include: Lori Dilley, director of Southwest Wisconsin Head Start; Dan Stickler, director of Western Dairyland, Paula Wainscott, director of Head Start in Eau Claire Area School District; Tim Hathaway, director of Renewal Unlited, Sue Schultz, and Barbara Wehman at CESA 11; and James Vermeul, director of Child & Family Development Centers.

Since the reauthorization process began in the spring of 2003, we have made tremendous progress to reach consensus on the bill before us. However, I remain concerned with the implementation of the National Reporting System for Head Start children. The NRS is an assessment instrument developed under HHS's guidance in 2003 and used to test half a million children in Head Start twice yearly.

Unfortunately, HHS implemented NRS—at the cost of $25 million so far—despite protests by early child education experts who question the validity, reliability, and appropriateness of the assessment. While we support ongoing assessments of Head Start children to help ensure their school readiness, these specific tests were developed behind closed doors and with very little input from child development experts, Congress, or Head Start centers.

The GAG validates many of these concerns. In May, they released a report stating: "If the test is to be used as a measure of program performance or to assess changes in child outcomes, it is important to ensure that it is sensitive to the range of development typically demonstrated in Head Start. Based on our analysis and that of the Technical Working Group and independent experts, we continue to believe that further study is necessary to ensure that the NRS results are reliable and valid and the results are appropriate for the intended purposes."

I authored language in H.R. 2123 to commission a study by the National Academy of Sciences to report on appropriate standards and benchmarks for school readiness and valid measures of assessment. Today, I will offer an amendment to suspend the National Reporting System until the National Academy of Sciences completes its review, and I urge all my colleagues to support my amendment.

Reauthorization provides Congress with an opportunity to evaluate appropriate standards and benchmarks for school readiness, as well

as valid measures of assessments for Head Start students. Until child development and early education experts can agree about the appropriateness of the NRS, we should not be spending millions of dollars on its implementation and subjecting 500,000 children to it every year.

In addition to promoting development of the mind, I also believe that we must promote good physical development for all children. I am pleased that an amendment I offered in committee to promote physical development, including outdoor activity to support children's motor development and overall health and nutrition, was accepted.

The requirement for physical activity and nutrition for pre-schoolers is increasingly important as childhood obesity rates have doubled for young children in the past 20 years. Studies show that healthy eating habits help to prevent childhood obesity and other nutrition-related diseases. Given the epidemic rate of child obesity, dramatic changes need to take place in school nutrition environment.

The Society for Nutrition Education, SNE, reports that child nutrition programs present opportunities for positive role modeling of healthy and nutritious meals, from the formative years of early childhood through the teen years. Additionally, implementation of educational programs that guide and motivate parents and children to improve the nutritional quality of their dietary choices and to increase their physical activity levels is extremely important. Physical activity, particularly for youth, help to improve school performance, establish positive health habits, and possibly prevent the onset of adult diseases.

Mr. Chairman, again, I am pleased to have worked on this bipartisan bill to reauthorize the Head Start Act. The consensus we have reached on H.R. 2123 reflects positively on how well Head Start is working. Numerous studies indicate that every dollar spent on Head Start saves taxpayers $4 to $7 in the future due to savings in education and welfare expenses. Therefore, it is my belief that the bill before us today will continue to provide the best Head Start program for all of our children.

Mr. BOEHNER. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Pennsylvania (Mr. PLATTS).

Mr. PLATTS. Mr. Chairman, I rise in strong support of the School Readiness Act of 2005. I would like to pay particular attention and highlight a provision of the bill granting greater flexibility to Head Start programs wanting to provide Early Head Start to children ages birth to 3.

A priority goal of the Head Start program is to reach out and assist as many of our Nation's at-risk children as possible in the most effective and responsible manner possible. In continuing with this tradition, I was proud to join with my distinguished colleagues, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Maryland (Mr. VAN HOLLEN), in offering a bipartisan amendment during committee consideration of this measure meant to reach out and serve at-risk children at an age when brain development is occurring rapidly and is perhaps in its most critical phase.

The Biggert-Van Hollen-Platts amendment, which was adopted unanimously in committee, gives grantees providing services under Head Start ages 3 to 5, and Early Head Start, birth to age 3, the flexibility to use existing unfilled Head Start slots for infants and toddlers who are eligible for Early Head Start.

In the earliest years, infants and toddlers are developing a foundation not only with respect to language and cognition, but also with respect to emotion, mental health, and social behavior upon which all subsequent learning is built. As many as 75 percent of children enter the Head Start program with vocabulary skills below the average range, and 82 percent of these children start out with early writing skills below the average range.

These numbers tell us that we need to start reaching out to at-risk children at an even younger age, before they have already fallen behind their peers. Yet early Head Start currently serves less than 5 percent of eligible infants and toddlers.

A major study of the Early Head Start program by Mathematica Policy Research and Columbia University found that 3-year-old Head Start children performed significantly better on a range of measures of cognitive, language, and social and emotional development than a control group. In addition, the parents of these children scored significantly higher than control group parents on many aspects of parenting and the home environment.

Early education programs are clearly important to the future of our Nation and our Nation's children. They have the ability to influence the course of young children's lives in a positive way. I hope my colleagues in this Chamber will join me in supporting final passage of H.R. 2123.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH), a member of the Subcommittee on Education Reform.

Mr. KUCINICH. Mr. Chairman, injecting religious discrimination into Head Start is a nonstarter. It is a rollback of established civil rights laws. It is wrong. And I believe it sets the stage for unconstitutional activity. I ask my colleagues to withdraw that amendment and let this bill, which we do agree on, to go forward to serve the children of our Nation who are waiting for opportunities to ensure that no child in America is trapped within poverty's grasp, to enable every child in America to live up to his or her highest potential.

Faith-based organizations, as we all know, are free to use their own money to make employment decisions using religious criteria for programs. There is no discrimination against faith-based organizations that run federally funded social services. If they want to hire people of only a certain faith, they can do that with their own money. But when it comes to the use of taxpayers' dollars, no citizen in this country with the protection of the first amendment should have to pass a religious test to qualify.

Our Founders understood the importance of separation of church and State. I also believe they did not intend to have America exclude the celebration of spiritual values. It is important that we remember the Founders' directives to bring spiritual values of truth, honesty, love of country, but to never break down that wall which separates church and State. Preserve our Constitution.

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

Mr. Chairman, when our forefathers in the 1960s wrote the 1964 Civil Rights Act landmark legislation, they provided a specific exemption in hiring for religious organizations, understanding that religious organizations would probably want to hire someone of their own faith. Now, if you disagree with that, go to the Committee on the Judiciary and rewrite the 1964 Civil Rights Act.

Nowhere in this exemption does it say that, well, you have the exemption if you use your own money, but if you participate in Federal programs, you lose the exemption. It does not say that anywhere in the 1964 Civil Rights Act.

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The fact is, that I understand there are deeply held beliefs here, but I do not think a religious organization should have to give up their rights under the 1964 Civil Rights Act just to participate in providing services to poor children who desperately need them.

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

Ms. WOOLSEY. Mr. Chairman, in response to the chairman, we are talking about taxpayers' money to support religious discrimination. That is what we cannot forget.

Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), a member of the committee.

Mr. VAN HOLLEN. Mr. Chairman, I strongly supported this bill as it came out of the committee. I was proud of the product the committee passed out. I was pleased to join with many of my colleagues on the other side in offering amendments that were supported on a bipartisan basis that I think strengthen the Head Start program.

I am very sorry that that bipartisan consensus may be shattered, and it will be shattered if we later adopt the Boustany amendment because, make no mistake about it, the Boustany amendment is, in fact, an attack on religious liberty in this country. It takes us down a very dangerous road of taxpayer-financed religious bigotry.

It is important to understand what the Boustany amendment does and does not do. This is not a debate about whether or not faith-based institutions play a valuable role. Of course they do. We have seen it in response to Hurricane Katrina. We have seen it elsewhere. Nor is it about whether faith-based Head Start programs should receive Federal funds. They are receiving those today.

The issue is very simple. The question is whether we should eliminate the protections in current law against discrimination based upon religion or whether we should preserve those protections. The Boustany amendment would give a green light to religious discrimination.

Just imagine if you are a highly qualified early education teacher, who is applying for a Head Start program that is expanding to take care of children who are victims of Hurricane Katrina. You go down and they say, I am sorry, you are the wrong religion. Only Catholics need apply, only Jews need apply, only Baptists need apply. That is a terrible message to be sending to our children. And does it not violate someone's religious liberty to take someone's tax dollars, give them to an organization and then say to that person, you cannot have a job with this organization?

In all of the hearings that we have held in our committee on this issue, no faith-based organization has ever come up and said, gee, we could do a better job of teaching children if only we were allowed to discriminate in hiring teachers.

I must say, one of the puzzling things, they concede that you cannot proselytize, yet they say you can discriminate.

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

If what is being proposed under the Boustany amendment is so awful, why would President Bill Clinton, during his 8 years in office, have signed the following bills into law: the 1996 welfare reform law; the 1998 Community Services Block Grant reauthorization, the 2000 Community Renewal Tax Relief Act; the 2000 Substance Abuse and Mental Health Services Administration Act.

Why would President Bill Clinton have signed all of these bills into law if, in fact, this was such a bad idea? Because all of these acts, signed into law by President Clinton, have the same identical language that is going to be offered later today.

The second point I would make is that what do we have to fear from allowing the House to work its will and letting the majority rule? Let us have the debate. Let us have the vote. Unfortunately, my colleagues know that we are likely to win, because we have won on this case time and time again as this debate has occurred in this House.

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

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I rise today in support of the Head Start program and the great opportunities that it provides to children, parents, and families in America.

I am a Head Start kid. I experienced firsthand the valuable and comprehensive education program that Head Start provides for low-income families. Head Start opened up a new world, not only for me, but also for the rest of my family.

As I received an education and health services, my mother learned valuable lessons on how to become a more active and involved parent in America's public school system. I am glad to see that H.R. 2123 preserves the valuable Federal-to-local design that gives parents and local communities the right and the responsibility to be active in their Head Start program. For this is really the key to the Head Start program, the fact that parents and families are also involved with their children.

To maintain the integrity of Head Start, I would urge my colleagues to pay special attention to two key votes. My colleague from Indiana (Mr. SOUDER) will be offering an amendment to restore the joint governance structure of Head Start and to allow policy councils made up of parents and community members to approve or disapprove program plans and operation activities, along with the board of directors. I urge my colleagues to support that important amendment.

On the other hand, I urge the House to oppose the amendment that would allow faith-based Head Start programs to use Federal tax dollars to discriminate against teachers and employees solely on the basis of their religion. We need to keep Head Start strong and to open it up for everyone so that it can remain the great program that it was for me and so that it can continue to be so for so many Americans.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. Mr. Chairman, I want to focus on the extra provisions dealing with the Migrant and Seasonal Head Start programs. These programs are among the most essential, providing comprehensive education, health care, child care services to the families who often have literally nowhere else to go. I am familiar with this, working with the Texas Migrant Council in my district, Laredo, Texas.

This year we are breaking new ground by mandating at least 5 percent of the Head Start budget to go to migrant and seasonal programs. I want to thank the chairman and the members of the committee for this. This increase even by 1 percent means a lot, going from 4 to 5 percent. It would permit Migrant and Seasonal Head Start to serve as many as 10,000 additional children. This is a case where a small increase in funding can make a big difference to a lot of children, changing the path they are on.

I want to emphasize that this program is extremely important. I know that for the migrant farm worker population facing a unique set of challenges, working on a seasonal basis, migrant families often have to move from State to State during the year, making it extremely difficult for the children to get in and remain in high-quality educational programs. When they are in the fields, parents often work 12 hours a day or more, making it very difficult for child care. This is why this provision is extremely important.

This program is important, and I know because I am also the son of migrant workers. I want to thank the chairman and the ranking member (Ms. WOOLSEY) for the work, and the committee members for this new additional funding for the seasonal migrant workers.

Mr. BOEHNER. Mr. Chairman, I reserve the balance of my time.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, today I am a Member of Congress. Prior to ever being elected to office and serving in the State legislature or Congress, I worked 6 years for Head Start. I started as assistant teacher, and I went on to be the supervisor of Parent Involvement and Volunteer Services. I love Head Start, and I have a great appreciation for what my government has done in creating this program to give poor kids and the kids of working families an opportunity to get a head start, to get prepared for kindergarten and to get prepared for success. That is what Head Start has been doing.

Not only does Head Start build self-esteem, it prepares children to read and get ready for the educational experience. It teaches parents to appreciate their children's work. It teaches parents that they can have involvement in their children's educational destiny. This is a wonderful program.

I think the committee did a good job in working through some of the problems. I do not agree with everything, but I would support this bill.

But I am absolutely shocked and surprised that my colleague that I came into this Congress with would lead an effort to kill Head Start. The gentleman knows he is killing Head Start by putting this amendment on the floor to put religious involvement in the program. A faith-based initiative has no place in Head Start. Head Start teaches children to respect each other, to enjoy each other, to respect all cultures.

On Sunday morning in America, religion is the most segregated sector of our society. Whites go to white churches, blacks go to black churches, Greeks go to Greek churches, Muslims are in their mosque, Jews are in their synagogue; and that is all right. We have religious freedom. People go to whatever church they want. But do not bring that to Head Start. Allow Head Start to be what it should be for all Americans. Do not say to people because you are a different faith, you cannot work in this Head Start program.

We do not want to give that kind of example to our children. Do not start

the resegregation of America, it is wrong. And do not do this to Head Start.

Mr. BOEHNER. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Chairman, I rise in support of this bill.

What we have to remember is this is about the children, children whose families are trapped in poverty trying to get a head start on education, which is the surest way out of poverty. It is disappointing to me there are some in here, because we provide some level of flexibility, and perhaps in some community it is a faith-based operation that can deliver the services best to a poor child in need of these services, that there are some willing to kill Head Start because of that level of flexibility.

In my hometown, thankfully, it is the public school systems that have taken over the Head Start program because we suffered through the difficulties of financial problems. The previous Head Start organization managed the program so poorly that they could not pay the teachers and continue Head Start. It had to be taken over by the Federal Government through an entity. Fortunately, Omaha Public Schools have taken over Head Start in Omaha, Nebraska, providing over a thousand children an opportunity to have a coordinated Head Start educational program, a better education program, with assurances to the parents that it is going to be there next year. In fact, they have even got a very progressive system for Head Start children based on EduCare, an outstanding private preschool program that involves a holistic approach of the entire family.

I want to end by thanking the gentleman from Ohio (Mr. BOEHNER) because he also recognizes there was a glitch, a glitch that eliminated some of the lower-level rank-and-file service men and women from having their children in Head Start programs because of privatization of military housing. The gentleman from Ohio (Mr. BOEHNER) recognized that problem, corrected that problem, and I want to thank him for standing up for our service men and women with children that would be eligible for Head Start.

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

Mr. Chairman, kill Head Start? Supporting religious discrimination which was added by the majority to this otherwise very good bill is exactly what would kill Head Start. Shame on the gentleman for thinking that it is any other way.

Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. HOLT), a member of the Committee on Education and the Workforce.

Mr. HOLT. Mr. Chairman, today on the floor we have what is increasingly rare these days, a bipartisan bill, a bill that would help thousands of Head Start children and their families. Head Start has worked well for 40 years. It has changed lives for the better. It is one of the great successes of our government. That is documented.

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Now, this bill is not perfect, but it makes some positive changes. I am pleased that the bill avoids the proposed use of State block grants. It improves the academic content and requirements. It requires coordination between Head Start and State-run kindergarten programs. It improves the prospect for children of migrant and seasonal workers, of service men and women, of Native Americans. The legislation strengthens accountability.

We still have a long way to go to give all eligible children the benefits of Head Start, but basically this is a good bill. It is a good bipartisan bill that is about to be destroyed by an insidious amendment. It is an amendment that would allow American tax dollars, tax dollars of ordinary Americans, all Americans, to be used for religious discrimination. We cannot allow that. The nondiscrimination provision of Head Start has been reauthorized in 1984, 1986, 1990, 1994, and 1998. No changes were proposed or made in the civil rights provision during those reauthorizations, but now the nondiscrimination provision would be thrown out.

Let us remember why we have this nondiscrimination provision. It is to protect freedom of religion, of religious belief and practice. It is to protect religious belief and practice. That is why it is so important not to mix that up in here.

It is a good bill. We would like to keep this as a bipartisan bill. We do not want to go back to the days where one would say Catholics need not apply, Jews need not apply. If Members do not want to go back to those days, vote ''no'' on the amendment.

Mr. BOEHNER. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I did not run a program in Head Start like the gentlewoman from California (Ms. WATERS), but I visited one, and then I visited another one because when I first came to Congress, and the gentleman from Maryland (Mr. HOYER) was here, I did not support Head Start or WIC. I thought they were a waste of time.

But I will tell the Members that Head Start and WIC and school lunch and those programs are only as good as the local district will let them be and work. They can make a difference. If a program that is working, if Members go down to those districts and see those children, they will tell them, Help us to help other kids that do not have a chance.

Support this bill.

I would say that a friend of mine said that when we are talking about the religious aspect of this, he said, When you come to Congress and somebody will say, You wear the Lord on your shoulder, he said, You tell them that is wrong; you wear them on your whole body.

I have never seen anybody turned away any religion, whether in an emergency or health or WIC. So vote for Head Start.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER), the minority whip.

Mr. HOYER. Mr. Chairman, I thank the gentlewoman for yielding me this time.

I am pleased that we have a bipartisan bill here. I want to congratulate the chairman, congratulate the ranking member, and congratulate the gentlewoman from California (Ms. WOOLSEY) for coming out with a bipartisan bill.

Unlike the bill considered by the House in 2003, this legislation does not attempt to block grant Head Start programs, which was controversial. I think that is good for the passage of this bill. Furthermore, it strengthens academic content, improves teacher quality, promotes better coordination between Head Start and other early childhood programs, and it strengthens accountability.

My wife supervised Head Start in our jurisdiction for many years. There are 24 Judy Centers around the State of Maryland right now, many of which include Head Start.

This bill was reported out of committee almost unanimously, if not unanimously. Unanimously. While the underlying bill contains long-standing nondiscriminatory provisions, and I congratulate the committee for that, there is an amendment lurking that will undermine that bipartisanship and, not only that, undermine an extraordinarily fundamental principle in our country: we do not discriminate. We do not countenance discrimination.

The previous gentleman indicated he does not know of any instance where there has been discrimination. I agree with that. I have never had anybody contact me ever, and this is my 37th year in public office. Never, from 1967 to today, have I had somebody come to me and say this is a problem. The committee has seen fit to report out a bill which does not allow discrimination. Why? Because there is no problem here. Frankly, the gentleman from Louisiana is trying to create a problem where there is none. We ought to reject that amendment.

If we do not reject that amendment, the overwhelming majority of us on this side of the aisle are going to vote against this bill. That is unfortunate because we are all for Head Start. It is a program that works. It is a program that is important. It is a program that we ought to reauthorize. And I urge us to support this bill, but reject a crippling amendment to be offered by the gentleman from Louisiana.

Mr. BOEHNER. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I thank the chairman for yielding me this time.

I have an amendment, the second amendment, coming up that I believe is very critical. It goes to the heart and soul of the Head Start program, and that is whether parents have voting rights or whether they are just going to get a pat on the head and told we like their opinions. I believe it is critical to Head Start that we put this back in.

But two points: first off, I thank the chairman and the Committee on Rules for allowing an amendment in order that they do not support, and I appreciate that and I want to thank them for that.

Secondly, I gave my word and I believe it is important that we move this Head Start bill whether my amendment is agreed to or not. I believe the Senate will never allow an amendment that strips parents, and I believe the administration will not sign a bill that strips parents, and I believe it is important that we have that debate, but it is also important we move ahead.

A number of Members have told me that if the amendment is not agreed to, they would vote against the bill. I urge them to move the bill forward regardless of what happens to the parents amendment. We need to address it in conference if we do not today, but it is the number one empowerment program in America. We do not need to go backwards and give more power to the government and boards that are not responsible to parents. We need to keep it at the parents level.

But I want to, again, thank the chairman for his leadership in trying to clean up the financial problems. It was not the parents. This bill does that, and I support this bill.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. DAVIS), who is a member of the Education Reform Subcommittee.

Mrs. DAVIS of California. Mr. Chairman, I thank the gentleman from Delaware (Chairman CASTLE), who worked so diligently with the gentlewoman from California (Ms. WOOLSEY), ranking member, and the subcommittee members to create a bipartisan bill. This is the spirit in which I believe Congress ought to work and find compromises and avoid extremes.

But, regrettably, I am going to have to oppose the Boustany amendment to strike the language which prohibits religious discrimination in hiring. This issue was vigorously debated in our subcommittee and committee and was not included in the bill.

When our taxes are used to hire people, should the decision be based on whether that person is a Baptist, a Roman Catholic, a Mormon, a Muslim, a Hindu, or a Jew? Supreme Court decisions have clearly stated that religious institutions have a legitimate interest in choosing employees by their religion. But these cases are about jobs that are privately funded.

Head Start, as we know, is publicly funded. Employers in government-funded programs should not be able to do what government employers may not do. Religious education programs run by a mosque, a church, or synagogue are pervasively religious, and discrimination in hiring is appropriate to carry out the religious content.

But a program in the same building which is a contract for a Head Start program is not about religion, and discrimination in hiring for jobs paid with Federal tax dollars is wrong.

One of the strengths of Head Start has been encouraging parents to volunteer; and tens of thousands of parents, as we know, have gone on to develop skills to become a paid aide or teacher.

One of my colleagues mentioned that he is very supportive of the bill, which helps and supports military families, and I fully agree with that. But then imagine that a child whose parent is fired from working at her school because their religion is different from the contractor's, perhaps a military family is fired because they are Roman Catholic, not Baptist, Muslim, or a Methodist. What would that teach these children about our country's commitment to freedom, the very freedom that their parents fight for? That religious discrimination is okay. That I cannot support, Mr. Chairman, and I hope Members will oppose that kind of discrimination.

Mr. BOEHNER. Mr. Chairman, I reserve the balance of my time.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), a member of the subcommittee.

Mr. SCOTT of Virginia. Mr. Chairman, I just wanted to remind the House that faith-based organizations can and do sponsor federally funded Head Start programs. Any sponsor who will agree not to discriminate in employment, if they can sponsor a program with the discrimination amendment, they can sponsor the program without that amendment if they would agree not to discriminate.

What we are talking about is discrimination. Some people want to discriminate against Catholics, Jews, Muslims, African Americans. We had this discussion in the 1960s, and the consensus back then was that discrimination in employment was so offensive that we made it illegal. The victim needs to be protected and the weight of the Federal Government will fall down on the side of the victim.

The vote was not unanimous. Some people did not like it then; they do not like it now. And we are discussing where should the weight of the government be, with the victim or with somebody trying to discriminate. This is Head Start. We should not give students of Head Start the idea that their parents were denied a federally funded job solely because of their religion.

We have heard of the Supreme Court. All of the Supreme Court decisions have said it is okay for a church to discriminate in employment with church money. None have supported discrimination with direct Federal funding. We have heard of our forefathers in 1964. We know that since 1965 it has been illegal, at least until this administration, to discriminate with Federal money. Head Start has been reauthorized for over 40 years with the civil rights protections.

President Clinton's name has been invoked. What is left out is his signing statement where he said that his analysis was that they could not discriminate with the Federal money under his analysis. This administration has changed that analysis, but we need to make sure that President Clinton's whole signing statement is included.

Mr. Chairman, I submit for printing in the RECORD letters from numerous organizations including the National Head Start Association which oppose the discrimination amendment and ask us to vote ''no'' on the underlying bill if they sabotage civil rights protections.

SEPTEMBER 22, 2005.

DEAR MEMBER OF CONGRESS: I have become aware that an amendment has been offered by Rep. Boustany (R–LA) to the Head Start bill on the House floor today that would give faith-based organizations providing Head Start services the right to discriminate with federal funds against employees who are of different faiths. As the State President of the Louisiana Head Start Association, I strongly oppose such an amendment.

It is a sad day when Members of Congress try to manipulate compassion evoked by the national tragedy in my state of Louisiana caused by Katrina to pass a civil rights repeal in Head Start or jeopardize the passage of this law so important to the children of my state and our nation.

I know, firsthand, that Head Start is a model for demonstrating that a strong prohibition on religious employment discrimination with federal funds is fully compatible with federal assistance to faith-based charities. Faith-based organizations, like the ones I oversee, can and do fully participate in federally funded programs without discriminating in hiring with those same federal funds. I see no reason to change the law to allow them to use federal funds to discriminate against our employees. My state's religiously affiliated providers are more than capable and willing to honor the civil rights requirements of the Head Start program.

I am greatly concerned that the provision to remove civil rights protections for employees could have a negative impact on the children and families who participate in these programs. Tens of thousands of at-risk 3- and 4-year-old children currently in Head Start could lose their teachers—who often are the most important adults to whom they have bonded, other than their parents—not because those teachers are doing a bad job, but because they are the ''wrong'' religion.

As the State President of the Louisiana Head Start Association, I urge you to reject the Boustany amendment to allow discrimination in Head Start. Such a provision is incompatible with the mission of this program.

Sincerely,

BARBARA PICKNEY,
St. Landry Parish Head Start Program, State President of the Louisiana Head Start Association.

NATIONAL HEAD START ASSOCIATION,
Alexandria, VA, September 19, 2005.

Hon. JOHN A. BOEHNER,
Chairman, Committee on Education and the Workforce, Washington, DC.

Hon. GEORGE MILLER,
Ranking Minority Member, Committee on Education and the Workforce, Washington, DC.

DEAR CHAIRMAN BOEHNER AND RANKING MEMBER MILLER: On behalf of the more than 2.5 million children and families, program staff and volunteers that comprise the Head Start and Early Head Start community, we are writing to you today to address certain issues regarding the reauthorization of the Head Start Act.

We appreciate the bi-partisan spirit that has occurred throughout this crafting of the reauthorization bill. H.R. 2123 does not contain the controversial block grant proposal of the 108th Congress and maintains the crucial comprehensive services of the Head Start program performance standards. We applaud a number of measures and improvements incorporated into this bill, such as enhanced homeless outreach; greater set asides for migrant and seasonal workers and Native Americans, as well as Early Head Start programs; and the addition of a ''seamless service'' provision that allows programs to convert Head Start slots to Early Head Start slots under certain circumstances.

While the recompetition provision is not perfect, we appreciate that its intent is not to recompete all programs, but to recompete only failing programs. We also acknowledge that the teacher requirements are based on national goals and that training and technical assistance is funded at two percent, with 50 percent of that amount going directly to programs.

While we generally are pleased with the overall intent and direction of H.R. 2123, we do have continuing concerns about certain specific provisions that we hope that can be resolved before the bill is enacted into law. These concerns are discussed in greater detail below.

REQUIREMENTS FOR RECOMPETITION

Recompetition procedures, which are laid out in detail in Section 641 (c)(1)–(19) include several areas that are problematic. While we strongly agree that programs that are not providing high quality services should have to recompete for Head Start funds, we are concerned that the language in this section may force more programs—regardless of quality—to undergo recompetition. We believe that there should be a strong message that all programs must be high performing. Yet, we also believe that programs that are providing high quality services should not be put in the position of recompeting every five years, as this instability makes it difficult for them to recruit and retain the best teachers, to invest in facilities, and to create lasting partnerships with other community agencies.

While we appreciate the efforts to make the recompetition process fair, there remains a very long list of tests that must be met to determine the priority status of programs. We continue to have concerns that some of these tests could be evaluated in an arbitrary manner, throwing programs into a recompete status, regardless of their performance.

The Head Start community does not want to see failing programs continue, but we would like reassurances that the recompetition process will be unbiased and consistent in its application by the Bureau. To achieve this, we would prefer that there be more limited parameters to determine the need to recompete a grantee, such as programs that have unresolved areas of noncompliance.

TEACHER CREDENTIALS

The entire Head Start community is committed to raising the bar when it comes to improving quality and enhancing teacher and staff credentials.

Additionally, educational levels among Head Start teachers have increased appreciably since the 1998 Congressional mandate to increase the proportion of Head Start teachers with an A.A. degree. Fifty-seven percent of Head Start teachers had at least an A.A. degree in 2003, exceeding a Congressional mandate that 50 percent of Head Start teachers in center-based classrooms attain an A.A. degree or higher by September 2003.

Most Head Start teachers without degrees were working toward them. Fifty-eight percent of Head Start teachers without a degree or credential were enrolled in an early childhood education or related degree program, and 18 percent were in Child Development Associate (CDA) or equivalent training.

A key to Head Start's success in meeting the 1998 mandate was that Congress also increased funding, which provided scholarships, release time and qualified substitutes, teacher salary increases, and other quality enhancement supports. The 1998 law required that, when funding for the program increased, a certain percentage of new dollars would be dedicated to quality. In the following years, funding for the Head Start program grew and, as a result, funds available for quality activities increased. However, Head Start funding has not kept pace with inflation in recent years, so programs no longer have a growing source of funds to help teachers attain degrees. Additional funding will be needed to meet a mandate to move from two- to four-year degrees, because costs of attending a four-year public college or university are on average more than twice the cost of a two-year program, and because there are significant additional salary costs in order to retain teachers with four-year degrees.

Programs must have the resources to help teachers gain their credentials and to pay salaries at a high enough level to recruit and retain teachers with the required degree.

Without new money for teacher salaries, increased credentialing for teachers should not be mandatory.

HEAD START PARENT POLICY COUNCILS

While we appreciate the modifications made in Committee markup to the provisions regarding the Head Start Parent Policy Councils, we strongly believe in the integral and shared responsibilities of board members and parents in Head Start governing bodies. The high degree of parental involvement in the Head Start program has provided a role model for early childhood education for 40 years.

The Head Start community is fully committed to restoration of the current level of authority to Parent Policy Councils.

NATIONAL REPORTING SYSTEM

The NRS, a pre- and post-test for Head Start children, is not a valid measurement of program impact and should not be used in this manner. Because Head Start serves children with very high level needs, using this kind of measure to evaluate programs may well penalize those programs serving the children with the greatest needs. Further, as pointed out in a May 2005 General Accountability Office report, the NRS was found to be invalid and unreliable. The GAO also confirmed that the NRS is not an appropriate evaluation vehicle for children who are English Language Learners, especially those who speak neither English nor Spanish.

Additionally, we know that the Head Start Bureau is spending more than $21 million annually on the NRS, an expenditure that does not even begin to take into consideration the costs of preparing for and administering the test at the program level.

We ask the House of Representatives to suspend further use of and expenditures for the NRS until the National Academy of Sciences can make the test scientifically valid.

UNSCHEDULED SITE VISITS

H.R. 2123 contains a provision that the Head Start community believes is punitive and unreasonable to all Head Start programs. The process and planning that is required of program administrators for a full PRISM review cannot be performed overnight. The Head Start community has no objection to unannounced site visits when they concern health and safety issues or are following up on prior compliance matters.

NHSA believes that a minimum of 30 days notice should be required of the Head Start Bureau before full PRISM reviews.

TRAINING EXCEPTIONS

High quality training is critically important to improving and sustaining Head Start quality and childhood outcomes. H.R. 2123 limits the ability of parents and staff to travel in order to receive specialized training and career development at national conferences.

This is an unnecessary provision that will cause confusion for program administrators since the existing grant application process requires justification of all training.

COLLABORATION WITH THE STATES

While the Head Start community strives for sound collaboration with their respective state officials, it is critically important that state officials reciprocate in these collaborative efforts. H.R. 2123 does not require input as it should, and as is now required, from state Head Start officials in the process of selecting staff who will have coordination responsibilities.

The Head Start community believes that state Head Start Associations should have sign-off on candidates for state collaboration officers, as well as continuing involvement in the planning and implementation of state plans. Furthermore, there should be clarification regarding states that have existing state advisory councils, namely that they are permitted to modify them to meet the requirements in the bill.

CHARITABLE CHOICE AMENDMENT

The Head Start community, including a number of programs administered by religious organizations, strongly opposes any effort by this Administration to encourage religious discrimination in hiring practices for Head Start or any federally-funded program. Freedom of Religion, a cornerstone of this great nation, should be sacrosanct to all of us. It is incomprehensible that the U.S. Congress would tamper with the ability of its citizens to practice their faith by using the threat of employment discrimination.

In spite of its positive provisions, if H.R. 2123 contains a religious discrimination amendment, we must reluctantly oppose the bill.

In closing, we commend the Education and Workforce Committee for their bi-partisan efforts in this Head Start reauthorization bill and we hope that modifications will be made that will result in improvements to the program.

Sincerely,

SARAH M. GREENE.

AFRICAN AMERICAN
MINISTERS IN ACTION,
Washington, DC, September 16, 2005.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR MEMBER OF CONGRESS: As pastors and leaders of predominately African American congregations across the country, we urge you to stand up for the civil rights and religious freedom of all Americans, and to maintain the bipartisan direction of the School

Readiness Act (H.R. 2123) by opposing any attempt to repeal longstanding critical civil rights protections on the House floor. This bill maintains provisions designed to protect over 198,000 Head Start teachers and staff and over 1,450,000 parent volunteers from employment discrimination based on religion in federally-funded Head Start programs. We have continually supported these provisions because this is consistent with our commitment to protecting the religious freedom of all citizens. Further, because we are acutely aware that religious discrimination is often a proxy for racial discrimination, among others, we cannot support the allowance of such an unprincipled initiative by any Member on either side of the aisle.

As religious figures we provide leadership grounded by theological interpretations of scripture, and focus on issues of concern to our parishioners and our community. We agree that religious organizations participating in the Head Start program make an invaluable contribution to the education of thousands of students in minority communities in particular, but do not agree that discriminating against persons based upon their religion is necessary or desirable in order to provide these much needed services.

We are optimistic that this bill can gain broad support among religious, civil rights, labor, education, health, and advocacy organizations, but this broad support will end if there is any threat to remove the longstanding critical civil rights protections in Head Start. In particular, we are seriously concerned about a statement released by the Committee on Education and the Workforce on May 5, 2005, in which Chairman Boehner stated that he foresees an amendment on the House floor to rollback longstanding critical civil rights protections. In light of this statement, we are asking Members to oppose this amendment and not support the Head Start bill if the anti-discrimination provisions are removed.

As leaders of our respective congregations we are committed to providing much needed services in our communities and have done so by respecting the rights of all individuals. Therefore, we find it particularly insulting to suggest that it is necessary to remove civil rights protections from Head Start programs in order for this outreach to continue. Furthermore, we can not compromise our principles by supporting a program that allows organizations, including religiously-affiliated organizations, to discriminate with federal taxpayers' dollars.

We urge you to maintain the bipartisan direction of the School Readiness Act (H.R. 2123) and to not support any agreement that allows for an assault on civil rights protections in federally-funded programs, especially a program as critical as Head Start. This could destroy the mutually supported nature of the Head Start program in which the education of young children—especially minority children—is so dependent upon parental participation and on ongoing, close relationships with Head Start teachers. Uplifting our surrounding community does not require the concurrent advancement of government funded discrimination.

Sincerely,

Reverend TIMOTHY MCDONALD,
Chair, African American Ministers In Action.

ANTI-DEFAMATION LEAGUE,
New York, NY, September 16, 2005.

DEAR REPRESENTATIVE: On behalf of the Anti-Defamation League, we write to urge you to maintain the civil rights protections currently included in the House Education and the Workforce-approved version of the School Readiness Act (H.R. 2123)—and to oppose any efforts to repeal these important provisions. Allowing religious-based employment discrimination in federally-funded programs is wrong—and to do it on the historic Head Start anti-poverty education program is deeply offensive.

Since 1972, agencies that receive government funding for Head Start—including religious organizations and houses of worship that host Head Start programs—have been prohibited from discriminating on the basis of religion when hiring or firing staff within the federally-funded program. These existing non-discrimination requirements have a history of bipartisan support, and were originally signed into law by President Richard Nixon. The current anti-discrimination language was included in the 1981 Head Start reauthorization bill, signed into law by President Ronald Reagan, and has been included in every Head Start reauthorization since then—in 1984, 1986, 1990, 1994, and 1998. For 33 years, these fundamental non-discrimination protections have worked well, allowing thousands of Head Start programs in communities throughout the country to flourish while maintaining constitutional and civil rights safeguards against religious tests for employment in federally-funded programs.

We have great appreciation for the vital role religious institutions have historically played in addressing many of our nation's most pressing social needs, as a critical complement to government-funded programs. For decades, government-funded partnerships with religiously-affiliated organizations—such as Catholic Charities, Jewish Community Federations, and Lutheran Social Services—have helped to combat poverty and provided housing, education, and health care services for those in need. These successful partnerships have provided excellent service to communities, largely unburdened by concerns over bureaucratic entanglements between government and religion. Indeed, at the same time that safeguards have protected beneficiaries from unwanted and unconstitutional proselytizing during the receipt of government-funded services, they have also protected the integrity and sanctity of America's religious institutions—whose traditional independence from government has contributed to the flourishing of religion in our country.

The House has never voted to repeal existing civil rights protections in a floor amendment. To do so on Head Start, an historic anti-poverty program universally acclaimed and present in so many communities across the country, is odious. We urge you to oppose any attempt to remove civil rights protections from Head Start.

Sincerely,

MICHAEL LIEBERMAN,
Washington Counsel.
JESS N. HORDES,
Washington Director.

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL–CIO,
Washington, DC, September 20, 2005.

DEAR REPRESENTATIVE: On behalf of the 1.4 million members of the American Federation of State, County and Municipal Employees (AFSCME), I am writing with respect to certain provisions of H.R. 2123 which would reauthorize the Head Start program. We want to express our sincere appreciation for the bi-partisan and inclusive process that resulted in unanimous approval of the legislation at the committee level. Significantly, H.R. 2123 does not include the controversial block grant proposal that derailed efforts to reauthorize Head Start in the last Congress. Rather, H.R. 2123 respects and maintains the crucial comprehensive services of the program performance standards that long have marked Head Start as a program of distinction. We believe that H.R. 2123, with some changes, has the very real potential to build upon the success of Head Start for future generations.

However, we are concerned that this bill does not address the low pay offered to Head Start teachers and staff and the lack of financial assistance in meeting new and more rigorous educational requirements. We support H.R. 2123's focus on raising standards for Head Start teachers, including the provision calling for 50 percent of all current Head Start teachers to have a bachelor's degree within five years and all new Head Start teachers to have an associate's degree. However, the estimated cost of the additional education for half of all Head Start teachers to earn bachelor's degrees by 2008 is approximately $2 billion over five years. If we want quality education for Head Start children, we must be willing to help teachers achieve this important goal.

AFSCME members have worked in Head Start programs for decades. We know that the qualifications of early childhood educators matter because high quality early education improves outcomes for children and delivers benefits to the community that far outweigh the costs.

We are also deeply concerned that Chairman Boehner intends to offer a controversial amendment on the floor to repeal longstanding civil rights protections from the Head Start program. Allowing federally-funded discrimination in any program is immoral. But it is especially egregious given that the civil rights protections in Head Start are an integral part of its mission to provide families a ladder out of poverty by encouraging parents to become volunteers and then teachers. Denying a parent economic opportunity because of the religion he/she practices violates the principles upon which our country was founded. We strongly urge you to oppose the amendment. If the amendment is adopted, AFSCME urges you to oppose the bill on final passage.

Sincerely,

CHARLES M. LOVELESS,
Director of Legislation.

LEADERSHIP CONFERENCE ON CIVIL RIGHTS,
Washington, DC, September 16, 2005.

DEAR REPRESENTATIVE: On behalf of the Leadership Conference on Civil Rights (LCCR), the nation's oldest, largest, and most diverse civil and human rights coalition, with more than 190 member organizations, we urge you to oppose the Boehner amendment or any amendment to the School Readiness Act (H.R. 2123) that would repeal longstanding civil rights protections in the Head Start Program that have been in place since President Nixon signed the law in 1972. We strongly oppose any language that would allow federally-funded employment discrimination. If language repealing civil rights protections is added to the bill during consideration on the House floor, we urge you to oppose final passage of H.R. 2123.

LCCR opposes allowing government-funded employment discrimination. Religious organizations have always served as key partners in providing government services through the Head Start program and current law has not been a hindrance to their vigorous participation. There also is no controversy over the exemption under Title VII of the Civil Rights Act of 1964 that allows religious organizations to have a preference of hiring co-religionists when they are using private funds, but federal funds may not be used to discriminate. Such a drastic change to the current Head Start program would be inconsistent with the long held notion that federal dollars must not be used to discriminate.

The Boehner amendment would allow government-funded employment discrimination,

Although the U.S. Supreme Court affirmed the Title VII exemption for privately-funded religious employers, it did not authorize federally-funded employment discrimination. See Corporation of Presiding Bishop of Church of Jesus Christ of Latter Day Saints v. Amos, 483 U.S. 327 (1987). We believe, based on analysis of Amos, that if federal funds are used by religious organizations to hire only persons of their own faith, then the federal government is affirmatively acting to advance employment discrimination.

In the 60 years since Franklin D. Roosevelt signed the first executive order prohibiting discrimination in federally funded activity, our nation has made significant progress in the struggle to end employment discrimination and advance equality. Any attempt to allow organizations to discriminate on the basis of religion with federal funds would drastically impede that progress and erode a longstanding principle of our nation's civil rights policy: that federal civil rights obligations follow federal dollars, regardless of who receives them.

The courts have affirmed the principle that federal funds cannot be used to discriminate. The leading case on the question of government-aided discrimination is Norwood v. Harrison, 413 U.S. 455 (1973). In a unanimous decision, the U.S. Supreme Court held that ''the Constitution does not permit the state to aid discrimination.'' Id. 465–66. The principles set out in Norwood were affirmed in Justice O'Connor's opinion in City of Richmond v. J.A. Croson Co. 488 U.S. 469, 492 (1989), which stated, ''It is beyond dispute that any public entity, state or federal, has a compelling interest in assuring that public dollars, drawn from the tax contributions of all citizens, do not serve to finance the evil of private prejudice.'' Her opinion quoted Norwood with approval for the proposition that ''[i]t is ... axiomatic that a state may not induce, encourage or promote private persons to accomplish what it is constitutionally forbidden to accomplish.'' Id. at 492–93 (quoting Norwood, 413 U.S. at 465).

LCCR urges you to oppose Rep. Boehner's amendment because current law must not be changed to allow recipients of Head Start funds to have an explicit statutory right to engage in employment discrimination. If this amendment passes, or other language is added during floor consideration that repeals current law, LCCR urges you to oppose final passage of H.R. 2123. If you have any questions, please contact Nancy Zirkin, LCCR deputy director, or Andrea Martin, senior counsel and policy analyst regarding this or any issue important to LCCR.

Sincerely,

WADE HENDERSON,
Executive Director.
NANCY ZIRKIN,
Deputy Director.

WASHINGTON BUREAU, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE,
Washington, DC, September 19, 2005.

Re fundamental civil rights protections in H.R. 2123, the school readiness act must be preserved

MEMBERS,
House of Representatives,
Washington, DC.

DEAR MEMBER: On behalf of the National Association for the Advancement of Colored People (NAACP), our nation's oldest, largest and most widely recognized grassroots civil rights organization, I am writing today to urge you to do all you can to ensure that the longstanding, critical civil rights protections that are contained in the current version of H.R. 2123, the School Readiness Act, are retained during consideration by the full House of Representatives. Specifically, I urge you to reject and work against the anticipated Boehner Amendment, which will repeal existing, long-standing Head Start provisions that prohibit religious organizations and churches from discriminating on the basis of religion when hiring or firing staff from positions within this federally-funded program.

H.R. 2132, as approved by the Committee on Education and Labor, maintains provisions designed to protect the more than 198,000 Head Start teachers, staff and over 1,450,000 parent volunteers from employment discrimination based on religion in federally-funded Head Start programs. The NAACP again urges you to do all you can to maintain these vital protections throughout the legislative process, and that you do not support this legislation if, at any point they are stripped.

The critical longstanding nondiscrimination provisions have been included in Head Start legislation since 1981. This is a fundamental civil rights protection against employment discrimination for Head Start teachers and volunteers. The legislation has always received strong bipartisan support from both the House and Senate since its enactment in the 97th Congress when President Ronald Reagan signed the legislation into law. The twenty-four year old civil rights provision has worked well since the inception of this program, allowing religious organizations to participate in programs while maintaining Constitutional and civil rights standards.

The NAACP both recognizes and celebrates that religious organizations participating in the Head Start program have made and continue to make an invaluable contribution to the education of thousands of students. These religious organizations have complied with Head Start's existing civil rights requirements. However, if the repeal of the existing civil rights protections were to become law, teachers or parent volunteers working in any Head Start program run by a religious organization could immediately lose their jobs because of their religion. Students participating in Head Start therefore could lose not only their teachers, but also the close programmatic connection with their own parents volunteering in the program. The NAACP strongly believes that allowing discrimination based on religion would significantly impede the important goals of Head Start, harm the Head Start students' education by separating them from their own teachers and parent volunteers, and send a damaging message to the students, their parents, guardians and loved ones, as well as people throughout our nation.

Thus, I urge you again, in the strongest terms possible, to support the continued inclusion of these longstanding and critical civil rights protections. The Head Start program is too critical to our children and our nation's future to allow support for it to be divided by this issue. Should you have any questions about the NAACP position or if there is any way in which I can be of help to you as you move this reauthorization through the legislative process, I hope that you will feel free to contact me. Thank you very much for you attention to the views of the NAACP.

Sincerely,

HILARY O. SHELTON,
Director.

THE AMERICAN JEWISH COMMITTEE,
Washington, DC, September 19, 2005.

DEAR REPRESENTATIVE: On behalf of the American Jewish Committee, the Nation's oldest human relations organization, with 33 chapters nationwide representing over 150,000 members and supporters, I urge you to oppose any amendments to the School Readiness Act, H.R. 2123, that roll back crucial civil rights safeguards. Further, if such an amendment is adopted, I urge you to oppose passage of H.R. 2123; repealing this longstanding essential element of Head Start could subject teachers in these federally-funded programs to religious discrimination.

As passed out of the House Education and the Workforce Committee, the bill maintains three-decade-old provisions that prohibit various forms of employment discrimination in Head Start. Both religious and secular organizations have operated effectively under this system since it passed as part of bipartisan legislation passed during the 9th Congress. Ever since President Richard Nixon signed the legislation into law in 1972, religion-based and other forms of discrimination are prohibited in Head Start programs, thereby ensuring that taxpayer dollars do not underwrite positions for which religion is a factor in hiring decisions. At the same time, the existing provisions do not intrude on the autonomy of religious organizations with respect to hiring decisions made in purely private programs.

The efforts of the House Education and the Workforce Committee to produce a bipartisan package are to be commended. The bill that reaches the House floor has the potential to receive broad support among religious, civil rights, labor, education, and health organizations. However, the bill risks losing critical segments of this support if, at any point, this initiative is amended to roll back Head Start's longstanding civil rights protections by exempting religious organizations from the prohibition on religious discrimination in employment decisions.

If so amended, H.R. 2123 would compromise an extremely successful program that provides essential services to nearly one million at-risk children nationwide. While many of the religious organizations that deliver the program would, no doubt, continue to hire employees for Head Start programs without regard to religion, H.R. 2123 could jeopardize the jobs of many thousands of current and potential teachers, staff, and parent volunteers for belonging to the ''wrong'' religion, as well as jeopardize children for whom a stable and trusting relationship between teacher and child is so important.

For these reasons, we strongly urge you to oppose any attempts to roll back the vital civil rights protections of H.R. 2123, the School Readiness Act. Thank you for considering our views on this important matter.

Respectfully,

RICHARD T. FOLTIN,
Legislative Director and Counsel.

AMERICANS UNITED FOR SEPARATION OF CHURCH AND STATE,
Washington, DC, September 19, 2005.

DEAR REPRESENTATIVE: Americans United for Separation of Church and State urges you to oppose any amendment to repeal longstanding, critical civil rights protections contained in the School Readiness Act (H.R. 2123) and to vote ''no'' on final passage of the bill if such an amendment is adopted. Americans United represents more than 75,000 individual members throughout the fifty States, 9500 clergy nationwide, as well as cooperating houses of worship and other religious bodies committed to the preservation of religious liberty.

H.R. 2123 unanimously passed out of the Committee on Education and the Workforce on May 18, 2005, maintaining a longstanding civil rights provision designed to protect over 198,000 Head Start teachers and staff and over 1,450,000 parent volunteers from employment discrimination based on religion in federally-funded Head Start programs. We

are pleased with this bipartisan legislation thus far, but are deeply concerned about stated threats to repeal longstanding civil rights protections against religious discrimination in our Nation's Head Start programs on the House floor. Specifically, Chairman Boehner, after championing the Committee-passed bill, stated that an amendment may be offered on the House floor that would repeal these protections. We urge you to reject attempts to sabotage a bipartisan effort to reauthorize the America's Head Start programs with such a divisive anti-civil rights amendment.

We recognize that religious organizations participating in the Head Start program make an invaluable contribution to the education of thousands of children. These organizations have complied with Head Start's existing civil rights requirements without controversy. However, if the repeal of the existing civil rights protection were to become law, teachers or parent volunteers working in any Head Start program run by a religious organization could immediately lose their jobs simply because of their religion or religious beliefs. This would directly work against the stated goals of Head Start and could change the fundamental character of this tremendously successful program.

According to the latest study from the National Head Start Association, the program currently enjoys a soaring 96 percent parental satisfaction rate. The Administration for Children & Family (''ACF'') has repeatedly noted that respect and sensitivity to cultural diversity are paramount to Head Start's success. The ACF and the National Head Start Association both agree that in order to best serve the needs of Head Start children, it is crucial that a Head Start center's staff be comprised of individuals from diverse backgrounds who reflect the diversity of the community it serves. Without the existing religious nondiscrimination provisions, children participating in Head Start could lose their teachers as well as vital interactions with their own parents who, in the past, have been strongly encouraged to volunteer for Head Start. Further, allowing discrimination based on religion would send a damaging message to Head Start children whose families do not subscribe to a particular religious organization's beliefs. It also would harm community members who rely on Head Start for jobs and deprive poor families and underprivileged children of the civil rights protections applicable to public schools.

Parents and communities that rely on Head Start programs should not have to choose between the renewal of the Head Start program and longstanding civil rights protections that are a cornerstone of this invaluable program. We hope that the House will continue the bipartisan goal of reauthorizing our Nation's Head Start programs and reject any attempts to roll back the civil rights protections long afforded to Head Start teachers and staff.

If you have any questions about H.R. 2123 or would like further information on any other issue of importance to Americans United, please contact Aaron D. Schuham, Legislative Director.

Sincerely,

REV. BARRY W. LYNN,
Executive Director.

BAPTIST JOINT COMMITTEE
FOR RELIGIOUS LIBERTY,
Washington, DC, September 16, 2005.

DEAR REPRESENTATIVE, The School Readiness Act of 2005 (H.R. 2123) will soon be considered in the House. We write to urge you to oppose any effort to amend this bipartisan bill in a manner that would repeal current protections against religious discrimination. The current bill, passed out of committee with unanimous approval, maintains these important protections. Unfortunately, repeated public statements have assured plans for a floor amendment that would allow religious discrimination in federally funded positions. We ask you to oppose any such amendment and to oppose final passage of the bill if the amendment were to pass.

A recent hearing in the Subcommittee on Criminal Justice, Drug Policy and Human Resources examining the faith-based initiative demonstrated once again that employment discrimination with Federal dollars is one of the initiative's most controversial and divisive elements. Testimony indicated that the continued pursuit of such a rule change is often more about politics than good policy. Head Start should not be hijacked to promote such an unnecessary and unwise policy.

Religious organizations and the government have long worked in partnership to perform important social services. Such partnerships are common for Head Start programs. We support these efforts and recognize the importance of government and religious cooperation generally. Such cooperation has occurred for many years without the danger of government sponsored religious discrimination that is present in the proposed amendment.

It would be extremely unwise to allow such a dramatic change in policy to threaten the reauthorization of Head Start.

We appreciate your attention to this issue and urge you to oppose any proposal that would allow religious employment discrimination in government funded programs.

Sincerely,

K. HOLLYN HOLLMAN,
General Counsel.

AMERICAN CIVIL LIBERTIES UNION,
Washington, DC, September 19, 2005.

Re Proposed Amendment to Head Start Reauthorization (''School Readiness Act''—H.R. 2123) Would Create an Unconstitutional Loophole Allowing Federally-Funded Religious Discrimination in Head Start Classrooms

DEAR REPRESENTATIVE: The American Civil Liberties Union strongly urges you to oppose any amendment to repeal longstanding critical civil rights protections contained in the School Readiness Act (H.R. 2123) and vote ''NO'' on final passage if such an amendment is adopted when the bill comes to the floor later this week. As unanimously passed out of the Committee on Education and the Workforce, H.R. 2123 maintains longstanding provisions designed to protect over 198,000 Head Start teachers and staff and over 1,450,000 parent volunteers from employment discrimination based on religion in federally-funded positions in Head Start programs. The civil rights protections afforded to Head Start teachers and staff are essential and should not be repealed.

PROPOSED AMENDMENT TO H.R. 2123 WOULD REPEAL LONGSTANDING CIVIL RIGHTS LAW THAT WAS NEVER CONTROVERSIAL

We are pleased that the Committee-passed Head Start legislation maintains longstanding critical civil rights protections. However, we are troubled by the threat of repealing these protections on the House floor. In a statement released by the Committee on Education and the Workforce on May 5, 2005, the day H.R. 2123 was introduced, Chairman Boehner stated that he foresaw an amendment on the House floor to roll back longstanding critical civil rights protections. Current law prohibits participants in Head Start programs from discriminating based on race, creed [religion], color, national origin, sex, political affiliation or beliefs, or disability. 42 U.S.C. 9849. If amended, H.R. 2123 would allow taxpayer dollars to fund religious organizations that discriminate against Head Start teachers and parent volunteers in federally-funded Head Start classrooms.

The civil rights provision barring federally-funded religious discrimination has never been controversial. In fact, the provision was first included in Head Start legislation that was signed by President Richard Nixon and subsequently by President Ronald Reagan. Throughout its 33-year history, the civil rights provision has not been an obstacle to the participation of religiously-affiliated organizations in Head Start programs. In fact, many religiously-affiliated organizations participate in Head Start and comply with the same civil rights provision that applies to everyone else.

THE PROPOSED AMENDMENT TO H.R. 2123 WOULD REVERSE THE GOVERNMENT'S LONG FIGHT AGAINST FEDERALLY-FUNDED DISCRIMINATION

Repealing critical civil rights protections in Head Start attacks the very core of civil rights protections historically supported by the federal government. More than 60 years ago, the first success of the modern civil rights movement was a decision by President Franklin Roosevelt to bar federal contractors from discriminating based on race, religion, or national origin. From that first presidential decision through the Supreme Court's decision allowing the federal government to deny special tax advantages to Bob Jones University, which claimed a religious right to retain the tax benefits while pursuing racist practices, the federal government has made the eradication of federally-funded discrimination among its highest priorities.

If amended, H.R. 2123 would allow a religious organization, such as Bob Jones University, that discriminates based on religion, to participate in Federal Head Start. In a disturbing result, Bob Jones University could be denied tax benefits because of its racist policies toward its students, but could receive Federal Head Start money under H.R. 2123 to discriminate against teachers and parent volunteers working in Head Start classrooms—simply because the employees do not meet Bob Jones University's religious tests. Moreover, in the many religious organizations in which the adherents are all of a single race, the result of federally-funded religious discrimination will effectively be Federal funds going to the employment of persons of a single race.

The Federal Government clearly has a compelling interest in applying the Head Start Act's civil rights provision to everyone receiving Federal funds—including religious organizations seeking to discriminate on the basis of religion in hiring persons to work in Head Start. Repealing critical civil rights protections prohibiting discrimination in employment would be inconsistent with the leading Supreme Court case on the use of Federal funds by religious organizations that discriminate.

In *Bob Jones Univ.* v. *United States*, 461 U.S. 574 (1983), the Supreme Court held that Federal Government could deny a religiously-run university tax benefits because the university imposed a racially discriminatory antimiscegenation policy. *Id.* at 605. The Court decided that the Federal Government's compelling interest in eradicating racial discrimination in education superceded any burden on the university's religious exercise of enforcing a religiously-motivated ban on students interracial dating. *Id.* at 604.

There is no meaningful difference between the government prohibiting tax benefits to organizations that discriminate based on race and the Head Start Act's statutory prohibition on discrimination based on religion

in Head Start classrooms. In fact, the United States itself—during the current Administration—squarely rejected the proposition that intentional religious discrimination gets less protection under the Equal Protection Clause than race. In its October 26, 2001 brief defending the religion prong of Title VII from an Eleventh Amendment attack, the United States stated that ''[c]ontrary to Defendant's contention that the Supreme Court has 'distinguished claims involving differential treatment on the basis of race and speech from those involving religion,' there can be no doubt that the Equal Protection Clause subjects State governments engaging in intentional discrimination on the basis of religion to strict scrutiny.'' Brief of Intervenor United States in *Endres* v. *Indiana State Police* (N.D. Ind. Oct. 26, 2001) (brief is available on *www.usdoj.gov*). Congress should not now take the position that it cannot or will not enforce a civil rights ban on Federal funds going to an organization claiming a right to discriminate based on religion when the Supreme Court specifically authorized the United States to enforce a civil rights ban on Federal tax benefits going to an organization making a directly analogous religious exercise claim to discriminate based on race. Thus, the sponsors' statement that the Congress has no duty to fully enforce the nondiscrimination statute is contrary to law—and abandons one of the seminal decisions in civil rights, namely Bob Jones Univ.

IF CRITICAL CIVIL RIGHTS PROTECTIONS ARE REPEALED, H.R. 2123 WOULD BE UNCONSTITUTIONAL

H.R. 2123, if amended, would abet unconstitutional employment discrimination based on religion. The proposed amendment's exemption of religious organizations from the prohibition on religious discrimination in the program is contrary to constitutional law, and will open the door to government-funded discrimination.

Proponents of allowing religious organizations to use Federal funds to discriminate against their employees argue that their position is consistent with a provision in Title VII of the Civil Rights Act of 1964 that generally permits religious organizations to prefer members of their own religion when making employment decisions. However, that provision does not consider whether federally-funded religious groups can discriminate with Federal taxpayer dollars. Moreover, although the Supreme Court upheld the constitutionality of the religious organization exemption in Title VII, *Corporation of Presiding Bishop* v. *Amos*, 483 U.S. 327, 336–39 (1987), the Court has never considered whether it is unconstitutional for a religious organization to discriminate based on religion when making employment decisions in programs that the government finances to provide governmental services.

Several courts have considered whether a religious organization can retain its Title VII exemption after receipt of indirect Federal funds, e.g., *Siegel* v. *Truett-McConnell College, Inc.*, 13 F. Supp.2d 1335, 1344 (N.D. Ga. 1994) (clarifying that its decision permitting a religious university to invoke the Title VII exemption is because the government aid is directed to the students rather than the employer), but only one Federal court has decided the constitutionality of retaining the Title VII exemption after receipt of direct Federal funds, *Dodge* v. *Salvation Army*, 1989 WL 53857 (S.D. Miss. 1989). In that decision, the court held that the religious employer's claim of its Title VII exemption for a position ''substantially, if not exclusively'' funded with government money was unconstitutional because it had ''a primary effect of advancing religion and creating excessive government entanglement.'' *Id*. The analysis applied by the court in Dodge should apply with equal force to the Head Start Act programs that would provide direct Federal funds to religious organizations.

In addition to causing the Establishment Clause violation cited by the court in Dodge, H.R. 2210 would also subject the government and any religious employer invoking the right to discriminate with Federal dollars to liability for violation of constitutional rights under the Free Exercise Clause and the Equal Protection Clause. Although mere receipt of government funds is insufficient to trigger constitutional obligations on private persons, a close nexus between the government and the private person's activity can result in the courts treating the private person as a state actor. *Rendell-Baker* v. *Kohn*, 457 U.S. 830 (1982).

It is beyond question that the government itself cannot prefer members of a particular religion to work in a federally-funded program. The Equal Protection Clause subjects governments engaging in intentional discrimination on the basis of religion to strict scrutiny. E.g., *United States* v. *Batchelder*, 442 U.S. 114, 125 n.9 (1979); *City of New Orleans* v. *Dukes*, 427 U.S. 297, 303 (1976). No government could itself engage in the religious discrimination in employment accommodated and encouraged by the proposed rule's employment provision. Thus, the government would be in violation of the Free Exercise Clause and the Equal Protection Clause for knowingly funding religious discrimination.

Of course, a private organization is not subject to the requirements of the Free Exercise Clause and the Equal Protection Clause unless the organization is considered a state actor for a specific purpose. *West* v. *Atkins*, 487 U.S. 42, 52 (1988). The Supreme Court recently explained when there is a sufficient nexus between the government and the private person to find that the private person is a state actor for purposes of compliance with constitutional requirements on certain decisions made by participants in the government program:

[S]tate action may be found if, though only if, there is such a 'close nexus between the State and the challenged action' that seemingly private behavior 'may be fairly treated as that of the State itself.' . . . We have, for example, held that a challenged activity may be state action when it results from the State's exercise of 'coercive power,' when the state provides 'significant encouragement, either overt or covert,' or when a private actor operates as a 'willful participant in joint activity with the State or its agents'. . . .

Brentwood Academy v. *Tennessee Secondary School Athletic Association*, 121 S. Ct. 924, (2001) (citations omitted).

The extraordinary role that the current Administration—and the amendment sponsors—have taken in accommodating, fostering, and encouraging religious organizations to discriminate based on religion when hiring for federally-funded programs creates the nexus for constitutional duties to be imposed on the provider, in addition to the requirements already placed on government itself. The clear intent of this amendment to repeal the civil rights provision in the Head Start Act is to encourage certain providers receiving Federal funds to discriminate based on religion.

The proposed amendment to H.R. 2123 provision allowing federally-funded religious discrimination is part of a growing pattern of congressional, presidential, and regulatory actions taken specifically for the purpose of accommodating, fostering, and encouraging federally-funded private organizations to discriminate in ways that would unquestionably be unconstitutional if engaged in by the Federal Government itself. For example, in December of 2002, President Bush signed Executive Order 13279, which amended an earlier executive order, which had provided more than 60 years of protection against discrimination based on religion by Federal contractors. The Bush order provides an exemption for religious organizations contracting with the government to discriminate in employment based on religion. In addition, the Federal Government is simultaneously proposing regulations to allow religious organizations to discriminate based on religion in employment for Federal programs involving substance abuse counseling, welfare reform, housing, and veterans benefits.

Although religious employers have the right under Title VII to apply religious tests to employees, the Constitution requires that direct receipt and administration of Federal funds removes that exemption. In addition, the Federal Government itself has constitutional obligations to refrain from religious discrimination or from establishing a religion. H.R. 2123, if amended, would fail to meet any of those constitutional mandates.

For these reasons, the ACLU strongly urges you to vote ''NO'' on any proposed amendment to the Head Start Reauthorization (''School Readiness Act''—H.R. 2123) that would create an unconstitutional loophole allowing federally-funded religious discrimination and to vote ''NO'' on final passage if an amendment is adopted. Thank you for your attention to this matter, and please do not hesitate to call Terri Schroeder at 202–675–2324 if you have any questions regarding this issue.

Very truly yours,

CAROLINE FREDRICKSON,
Director.

TERRI SCHROEDER,
Senior Lobbyist.

NATIONAL LEAGUE OF CITIES,
Washington, DC, September 21, 2005.

EDUCATION AND WORKFORCE COMMITTEE,
Rayburn House Office Building,
Washington, DC.

DEAR COMMITTEE MEMBER: On behalf of the 18,000 cities represented by the National League of Cities (NLC), I want to commend Members of the Education and Workforce Committee on the passage of bipartisan Head Start legislation, H.R. 2123, the ''School Readiness Act of 2005.'' Head Start is critical to helping to alleviate the plight of children of the working poor. In particular, NLC strongly endorses the Committee's commitment not to include language that would preempt state and local employment laws thereby permitting discrimination in employment by government-funded faith-based social service providers.

As you know, local governments have a long and rich history of working with faith-based organizations that predates the enactment of the charitable choice provision contained in the Welfare-To-Work Act of 1996. NLC is especially proud of the fact that cities across the nation have carefully helped faith-based groups deliver services to our constituents while respecting the boundaries of our Constitution. Permitting government-funded employment discrimination is the wrong way to encourage faith-based institutions that deliver social services to apply for public funding. Simply put, any language that preempts local governments from protecting its residents from employment discrimination undermines the spirit and letter of Title VII of the Civil Rights Act and unnecessarily encourages litigation against municipalities.

NLC asks Members of the House of Representatives to maintain the Committee's bipartisan direction and oppose any attempts

to repeal longstanding anti-discrimination protections during deliberation on the House floor. Thank you.

Very truly yours,

DONALD J. BORUT,
Executive Director.

NATIONAL EDUCATION ASSOCIATION,
Washington, DC. September 21, 2005.

House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the National Education Association's (NEA) 2.7 million members, we would like to offer our views on the School Readiness Act of 2005 (H.R. 2123), scheduled for floor debate this week. Overall, we believe the bill contains a number of positive provisions. However, we do have some concerns as outlined below. In particular, we strongly oppose any amendment to repeal civil rights protections for Head Start teachers, staff, and volunteers and will oppose the final bill if it does not contain these protections. Votes associated with these issues may be included in the NEA Legislative Report Card for the 109th Congress.

NEA believes that children's learning begins well before they enter school, and that the transition to school must be founded on strong school readiness. Head Start has a long history of success in this arena, having provided high-quality early childhood education, health, social services, and parental involvement programs to more than 18.5 million low-income children between the ages of 3 and 5 since its creation in 1964.

Given the critical importance of Head Start, we are particularly pleased that H.R. 2123 does not allow for block granting of Head Start funds to states. We are also pleased that the bill would align Head Start curricula with K–12 education while preserving the comprehensive nature of the Head Start program. We believe these provisions will support effective transitions for children's learning and development and ensure that children will enter school ready to learn. At the same time, the proposal will provide continuity for children by retaining the essential parental involvement, nutrition, and other nonacademic features of Head Start.

We do have some concerns with portions of H.R. 2123 as drafted as well as proposed amendments:

Civil rights protections. We are very pleased that H.R. 2123 maintains provisions designed to protect over 198,000 Head Start teachers and staff and over 1,450,000 parent volunteers from employment discrimination based on religion in federally-funded Head Start programs. We recognize the invaluable contributions of religious organizations participating in Head Start. However, we are deeply concerned that a repeal of civil rights protections could allow religious organizations participating in Head Start to fire teachers or parent volunteers based on their religion. We strongly believe that allowing discrimination based on religion would significantly impede the important goals of Head Start as well as send a damaging message to students. We urge your opposition to any amendment, including one expected to be offered by Representative Boustany, that would repeal civil rights protections for Head Start employees.

Professional development. We are very pleased that H.R. 2123 has a strong focus on early childhood educator professional development. We are concerned, however, that the bill would require teachers to have higher academic degrees, without providing for a substantial increase in funding either for professional development or compensation. We recommend addressing this concern, including by providing grants to help teachers meet the costs of earning their Bachelor's and Associates degrees and/or increasing the salaries of those teachers who earn degrees in early childhood education.

Assessments. H.R. 2123 allows a study of, and recommendations on, appropriate assessments for young children. We would recommend that the National Academy of Sciences conduct a review of the National Reporting System to ensure that the assessments are comprehensive, reliable, and that the results are used to improve student achievement.

We also hope to work with you toward increasing funding authorization levels to ensure that Head Start can fully serve all eligible low-income children and their families.

We thank you for your consideration of our views on these important issues.

DIANE SHUST,
Director of Government Relations.

RANDALL MOODY,
Manager of Federal Policy and Politics.

AMERICAN HUMANIST ASSOCIATION,
Washington, DC, September 16, 2005.

DEAR REPRESENTATIVE: The American Humanist Association (AHA) stands in opposition to any retrenchment of existing civil rights protections, and therefore opposes any specific attempt to reverse the nondiscrimination provisions currently in effect in the Head Start program. Congressman John Boehner (OH) has indicated his intent to roll back vital civil rights protections by introducing, on the House floor, an amendment to H.R. 2123, the School Readiness Act.

On behalf of the oldest and largest Humanist organization in the Nation, I ask you to oppose any such attempt to legalize discrimination with Federal funds as you vote on the bipartisan Head Start reauthorization bill.

There is no compelling reason to undo the civil rights protections in the Head Start program that President Nixon signed into law in 1972. If this 33 year old nondiscrimination policy were discarded, the Head Start reauthorization would permit religious organizations to use Federal funds to discriminate on the basis of religion, even when engaging in purely secular early childhood education activities. Not only would such a removal of employment discrimination safeguards hold significant potential harm for Humanists, Jews, Muslims, Buddhists, and others who hold minority lifestances, it would not address an existing problem. Faith-based organizations have been partnering with the government to provide social services for many years without the need to bypass civil rights laws.

Humanists are particularly concerned about this potential amendment because many dedicated teachers and volunteers in the Head Start program would find themselves disenfranchised just because they do not happen to believe as others do. As a result, this bill will likely lose the existing support of many religious, civil rights, education, health, and advocacy organizations if Congressman Boehner's amendment is adopted.

As Humanists we persistently oppose Federal funding for discrimination, especially discrimination done on the basis of religion or lack thereof. If religious or secular organizations wish to utilize taxpayer dollars to operate on our government's behalf, they must also abide by the standards set for public service. This is why I write to ask you to oppose any amendment to the legislation that would roll back these critical civil rights protections. If such an amendment is added to the bill, we strongly urge you to oppose final passage of the bill.

Should you have any questions about our position, please do not hesitate to contact Roy Speckhardt on our staff.

Sincerely,

MEL LIPMAN,
AHA President.

THE COALITION AGAINST RELIGIOUS DISCRIMINATION,
September 19, 2005.

DEAR REPRESENTATIVE: We, the undersigned religious, civil rights, labor, education, health, and advocacy organizations are writing to urge you to oppose any amendment to repeal longstanding critical civil rights protections contained in the School Readiness Act (H.R. 2123) and vote ''no'' on final passage if such an amendment is adopted. As unanimously passed out of the Committee on Education and the Workforce, H.R. 2123 maintains longstanding provisions designed to protect over 198,000 Head Start teachers and staff and over 1,450,000 parent volunteers from employment discrimination based on religion in federally-funded positions in Head Start programs.

The critical longstanding nondiscrimination provisions have been included in Head Start legislation since 1972. This is a fundamental civil rights protection against employment discrimination for Head Start teachers and volunteers. The legislation always has received strong bipartisan support from both the House and Senate since its enactment in the 92nd Congress when President Nixon signed the legislation into law. The 33 year old civil rights provision has worked effectively since the inception of this program, allowing religious organizations to participate in programs while maintaining constitutional and civil rights standards.

We are pleased that the Committee-passed Head Start legislation maintains longstanding critical civil rights protections. However, we are troubled by the threat of repealing these protections on the House floor. In a statement released by the Committee on Education and the Workforce on May 5, 2005, the day H.R. 2123 was introduced, Chairman Boehner stated that he foresaw an amendment on the House floor to roll back longstanding critical civil rights protections. The civil rights protections afforded to Head Start teachers and staff are vital and should not be dislodged.

We recognize that religious organizations participating in the Head Start program make an invaluable contribution to the education of thousands of students. These religious organizations have complied with Head Start's existing civil rights requirements. However, if the repeal of the existing civil rights protections becomes law, teachers or parent volunteers working in any Head Start program run by a religious organization could potentially lose their jobs based only on their religion. Students participating in Head Start therefore could lose not only their teachers, but also the close programmatic connection with their own parents volunteering in the program. We strongly believe that allowing discrimination based on religion would significantly impede the important goals of Head Start, send a damaging message to Head Start students, and harm their education by separating students from their own teachers and parent volunteers.

We urge you to maintain current law and reject any assault on civil rights protections in federally-funded programs, especially a program as critical as Head Start. If these longstanding critical civil rights protections are repealed we urge you to vote ''no'' on final passage of H.R. 2123. The dismantling of civil rights will destroy the nature of a program in which the education of young children is so dependent on parent participation

and on ongoing, close relationships with Head Start teachers.

Sincerely,

AFL–CIO.
African American Ministers in Action.
American Association of University Women.
American Civil Liberties Union.
American Federation of State, County and Municipal Employees.
American Federation of Teachers.
American Humanist Association.
American Jewish Committee.
American Jewish Congress.
American-Arab Anti-Discrimination Committee (ADC).
Americans for Democratic Action.
Americans for Religious Liberty.
Americans United for Separation of Church and State.
Baptist Joint Committee for Religious Liberty.
Central Conference of American Rabbis.
Children's Defense Fund.
Church Women United.
Communications Workers of America.
Disciples Justice Action Network (Disciples of Christ).
Equal Partners in Faith.
Faith Action Network of People For the American Way.
Gay, Lesbian and Straight Education Network.
General Board of Church and Society of The United Methodist Church.
Human Rights Campaign.
International Union, UAW.
Legal Momentum (formerly NOW Legal Defense).
Mexican American Legal Defense and Educational Fund (MALDEF).
NA'AMAT USA.
National Association of Social Workers.
National Center on Domestic and Sexual Violence.
National Council of Jewish Women.
National Council of Women's Organizations.
National Education Association.
National Head Start Association.
National Mental Health Association.
National Organization of Women.
National PTA.
National Women's Law Center.
OMB Watch.
People For the American Way.
Secular Coalition for America.
Service Employees International Union.
Stop Family Violence.
Texas Faith Network.
Texas Freedom Network.
The Interfaith Alliance/Foundation.
The Secular Coalition for America.
Union for Reform Judaism.
Unitarian Universalist Association of Congregations.
United Church of Christ Justice & Witness Ministries.
Women of Reform Judaism.
YWCA USA.

THE INTERFAITH ALLIANCE,
Washington, DC, September 16, 2005.

DEAR REPRESENTATIVE: I write to you today as the president of The Interfaith Alliance, a nonpartisan, national grassroots organization dedicated to promoting the positive and healing role of religion in public life to oppose any amendment to repeal longstanding critical civil rights protections contained in the School Readiness Act (H.R. 2123) and vote ''no'' on final passage if such an amendment is adopted. As unanimously passed out of the Committee on Education and the Workforce, H.R. 2123 maintains longstanding provisions designed to protect over 198,000 Head Start teachers and staff and over 1,450,000 parent volunteers from employment discrimination based on religion in federally funded Head Start programs,

As an organization whose membership is comprised of 150,000 people of faith and good will spanning 75 faith traditions, I can think of no reason to justify an attempt to roll back these longstanding civil rights and religious liberty protections. Indeed, in a nation as intentionally and increasingly pluralistic as ours, built-in protections prohibiting religious discrimination in federally-funded programs represent a fundamental commitment towards a society that values the contributions and abilities of people of all faith traditions equally.

Religious organizations have had a long and proud history in their active participation in Head Start programs. For years, congregations have made substantial contributions to their communities with the existing workplace protections in place. If those in Congress who seek to repeal these employment safeguards are successful, thousands of teachers and parent volunteers who have dedicated themselves to this program could find themselves no longer welcome at religiously-affiliated Head Start programs because they are of a different faith than the sponsoring organization.

While The Interfaith Alliance is supportive of the right of sectarian organizations to hire based on religious preference for purposes of furthering their institutional ministry, we believe that houses of worship forfeit that right once they accept federal taxpayer dollars to implement social service programs that are intended to serve all.

Further, any attempt to politicize the Head Start program—a federally sponsored preschool program conceived to meet the needs of disadvantaged children since 1965—through a floor amendment to add the highly controversial religious exemption language, is not only unnecessary, but a sad commentary on the state of those political leaders who seek to attach religious exemption language to every social service program that comes before the Congress.

The Interfaith Alliance is pleased with the bipartisan direction of the Head Start legislation however; this bill will no longer be bipartisan if there is any attempt to roll back longstanding critical civil rights protections. The civil rights protections afforded to Head Start teachers and staff are vital and should not be dislodged. This bill has gained broad support among religious, civil rights, labor, education, health, and advocacy organizations, but that broad support will end if there is any threat to remove the longstanding critical civil rights protections in Head Start.

If you need further information on our position on this matter, please do not hesitate to contact Kim Baldwin, Director of Public Policy and Voter Education or Preetmohan Singh, Senior Policy Analyst, at 202–639–6370.

Sincerely,

REV. DR. C. WELTON GADDY,
President, The Interfaith Alliance, Pastor of Preaching and Worship, North Minster Baptist Church (Monroe, LA).

UNITARIAN UNIVERSALIST ASSOCIATION OF CONGREGATIONS,
Washington, DC, June 1, 2005.

DEAR MEMBER OF CONGRESS: I am writing on behalf of the over 1,050 congregations that make up the Unitarian Universalist Association in regard to H.R. 2123, the School Readiness Act of 2005, the legislation to reauthorize the Head Start program. The Unitarian Universalist Association would like to express our continued support of this program, as we believe that Head Start is a successful and necessary program that helps prepare nearly 20 million low-income children for success in kindergarten and later life.

We remain pleased with the general direction of the House bill as it comes out of the Committee on Education and the Workforce. We are, however, concerned over proposals by committee leadership to offer a floor amendment to repeal civil rights protections in hiring in Head Start programs. The UUA encourages you to pass a reauthorization bill that is truly bi-partisan in recognizing the successes of the Head Start program and maintaining the high quality of comprehensive services it provides without repeal of long-standing civil rights protections. We ask that you vote against any amendment on the floor that would repeal civil rights protections. If such an amendment is included in the final bill, we ask that you vote NO on final passage of H.R. 2123.

We urge you to oppose the repeal of longstanding civil rights protections designed to protect Head Start teachers, staff, and parent volunteers from employment discrimination based on religion in federally funded Head Start programs. This provision has worked for 24 years, encouraging religious organizations to participate in Head Start and make invaluable contributions to children's education and well-being, while maintaining Constitutional and civil rights standards. Allowing discrimination based on religion would significantly impede the important goals of Head Start, send a damaging message to Head Start students, and harm their education by separating students from their own teachers and parent volunteers.

On behalf of the Unitarian Universalist Association of Congregations, I thank you for your consideration of our views on Head Start reauthorization. Head Start is an exemplary program that has a well-deserved reputation for delivering quality services to millions of our country's children. This program is an excellent example of how religious organizations such as houses of worship work in partnership with the government without compromising either protections for religious minorities or the integrity of religious organizations. We urge the House to pass a bipartisan bill that will continue the success of Head Start without eliminating important civil rights provisions by voting NO on any proposed amendment eliminating such provisions and voting NO on final passage of a bill including such provisions.

In Faith,

ROBERT C. KEITHAN,
Director.

SERVICE EMPLOYEES INTERNATIONAL UNION, CLC,
Washington, DC, September 20, 2005.

DEAR REPRESENTATIVE: On behalf of 1.8 million members of the Service Employees International Union (SEIU), working in health care, building services, and federal, state, and local governments, including more than 220,000 early education workers throughout the United States, I write to encourage you to take a closer look at several key provisions in the Head Start Reauthorization bill that could impact the quality of Head Start for children. As the School Readiness Act of 2005 (H.R. 2123) moves to the House floor for a vote this week, we hope that you will use this time as an opportunity to improve the quality of Head Start programs that serve low-income children nationwide.

Since its inception in 1965, the Head Start program has enrolled more than 22 million children. Head Start provides an array of comprehensive services to low-income parents and children that they may not otherwise have access to on their own. Head Start

not only prepares children for school by providing a solid foundation in cognitive learning and socialization skills, but also helps make children ''ready to learn'' by providing comprehensive health, dental, and nutritional services critically needed by our at-risk children. SEIU is committed to ensuring that children who participate in Head Start acquire the skills that prepare them for healthy, successful lives. This goal will not be realized unless certain steps are taken to improve the Head Start program.

The Head Start bill passed by the House Education and Workforce Committee contains several provisions that we support including greater set asides for migrant and seasonal workers and Native Americans, as well as Early Head Start programs. However, SEIU remains concerned about a number of provisions that may erode the quality of Head Start programs if not modified. We have outlined those concerns below.

SEIU supports continuing education for Head Start staff; however, the bill's requirement for additional training and education for Head Start staff may not become reality without the quality improvement funding to make the plan attainable. While SEIU supports additional training and education for staff, we believe more funds also need to be provided for that training and education. Head Start teachers on average make $23,564 annually. Further, there are no current incentives to retain highly qualified staff in Head Start programs after attaining degrees.

Additionally, Head Start needs sufficient resources to ensure every eligible child can participate and to increase the quality of programs. Two out of five preschool children (about 800,000) and 97 percent of infants and toddlers who qualify for Early Head Start cannot participate in the program simply because there are not enough resources invested in the program. We support full funding for Head Start so all eligible children have access to the Head Start program.

Also, the bill's re-competition provisions need improvement. SEIU is encouraged that the House bill does not require automatic re-competition for every grantee after the end of their grant period. However, the bill does require re-competition for grantees that have a ''deficiency'' during their grant period—regardless of whether the deficiency has been resolved or not. In addition, the Secretary has broad authority in identifying what a ''deficiency'' is, the finding of which would require programs to re-compete their grants. Such uncertainty for all programs—even those with stellar records of performance—is counterproductive and would end programs' ability to do any long-range planning. In the event a grantee is unsuccessful in a re-competition, SEIU continues to have concerns for existing Head Start workers who may be displaced by re-competition. Services and care-giving relationships for children should not be disrupted.

Moreover, SEIU supports parental involvement in Head Start programs and encourages Members of Congress to re-think its plan to diminish the role of policy councils. Policy councils offer real parental involvement regarding personnel and budgets. Despite the advantages of parental involvement, the House bill changes governance responsibility to the Board of Directors, with Policy Councils playing only an advisory or consulting role. Instead, Congress should recognize that parents provide valuable insight into Head Start programs and can provide the necessary oversight of Head Start programs when armed with the proper training. SEIU supports parental involvement through policy councils.

Finally, SEIU vigorously opposes attempts to include language that would repeal longstanding civil rights protections that prohibit religious-based employment discrimination by Head Start agencies. The House bill currently maintains a provision designed to protect over 198,000 Head Start teachers and staff and over 1,450,000 parent volunteers from employment discrimination. This decades old civil rights provision has worked effectively since the inception of this program, allowing religious organizations to participate while maintaining constitutional civil and employment protections. The bill has gained broad support among diverse advocacy organizations, but that support will end if there is a successful effort to remove those protections in Head Start when the bill goes to the floor. SEIU asks that you vote against any amendment offered that would roll back critical civil rights protections. If such an amendment is included in the final bill, we urge you vote NO on final passage of H.R. 2123.

SEIU remains troubled by the bill as it is currently constructed as outlined in the letter and we will endeavor to improve the legislation when the Senate takes up reauthorization. Again, should an amendment be offered that allows faith-based organizations to use religious discrimination against teachers, staff and parent volunteers working at Head Start programs, we urge you to vote NO upon final passage of the bill.

Sincerely,

ANNA BURGER,
International Secretary-Treasurer.

CDF ACTION COUNCIL,
September 20, 2005.

DEAR REPRESENTATIVE: As H.R. 2123, the School Readiness Act of 2005, moves towards a full vote in the House of Representatives on Thursday, September 22, the Children's Defense Fund is pleased to support many of the provisions on which the Education and Workforce Committee has worked so thoughtfully and diligently. We are especially pleased that the Committee's bipartisan bill maintains the integrity of the Head Start program and the quality performance standards that have helped Head Start successfully serve over 22 million children since the program began.

We are extremely concerned, however, about a religious discrimination amendment that will be offered when the bill comes to the House floor. This unwarranted amendment would repeal the important civil rights protections that currently exist in Head Start that protect teachers and volunteers working in any Head Start program run by a religious organization. Such an amendment would significantly hinder the goals of the Head Start program and the quality of care children receive.

CDF acknowledges the continuing contribution of faith-based individuals and organizations, which have been the backbone of Head Start since its inception and have historically embraced serving our most vulnerable children when few others would even consider it. The religious discrimination provision, however, strikes at the very core of civil rights issues that so many of these individuals fought to secure. It is imperative that faith-based organizations be subject to the same civil rights laws that ALL programs who receive federal funding must abide by. The following are concerns raised by the amendment:

Teachers and staff could be hired based on their religion rather than their qualifications.

Tens of thousands of already at-risk 3- and 4–year-old children could lose their Head Start teachers, who often are the most important adults, other than their parents, with whom they have established meaningful relationships.

Head Start has been an important source of employment for countless parents, but this provision could result in numerous parents losing their jobs, preventing families of Head Start children from climbing the ladder out of poverty.

Many Head Start volunteers are also parents. Parent involvement has played a critical role in the success of Head Start. These volunteers could be let go as well if the provision passes.

Head Start is a critical program for our country's most vulnerable young children, providing them with valuable tools for future success in life. We are greatly concerned that removing civil rights protections for employees and volunteers would be detrimental to the children and families who benefit from this program. What message does this send to the Head Start children when their teachers, staff, and parents are denied opportunities in Head Start, simply because they do not share the federally-funded employers' religious beliefs?

While substantial progress has been made creating a bipartisan bill with many positive provisions, the addition of a religious discrimination amendment would require CDF to oppose H.R. 2123.

Thank you for your continuing commitment to improving Head Start and helping it reach more of the vulnerable children and families who benefit from its essential services. Please oppose the religious discrimination amendment.

Sincerely Yours,

MARIAN WRIGHT EDELMAN.

HUMAN RIGHTS CAMPAIGN,
Washington, DC, September 19, 2005.

DEAR REPRESENTATIVE: On behalf of the more than 600,000 members of the Human Rights Campaign, we write to express our grave concerns with certain provisions of the School Readiness Act (H.R. 2123) that we understand may be added as the legislation moves to the floor for a vote. We are particularly concerned with statements made by Chairman John Boehner (R–OH) which indicate that his clear intention is to offer an amendment on the floor adding language to reverse the non-discrimination provisions currently in effect in the Head Start program. We do not believe it should be legal to discriminate with federal funds.

We ask you to oppose any attempt to roll-back these civil rights protections, which would undermine the current bipartisan nature of the bill. If an amendment is added on the floor which would roll back these civil rights protections, we urge you to oppose final passage of the School Readiness Act (H.R. 2123).

As the nation's largest gay, lesbian, bisexual and transgender civil rights organization, we oppose using federal funds to discriminate on any basis, including religion, which unfortunately has been used as a proxy for discrimination on the basis of sexual orientation and gender identity. Two prominent cases illustrate this problem: Bellmore v. United Methodist Children's Home and Department of Human Resources of Georgia and Pedreira v. Kentucky Baptist Homes for Children. Further, we are particularly concerned that any provisions that allow federally funded religious discrimination will pre-empt local and state non-discrimination laws that include sexual orientation and gender identity.

While we do not hold a position on the overall legislation, we have serious concerns with a provision that we understand will be offered on the floor that would roll back civil rights protections that have been in place and working effectively since 1972. By abandoning these non-discrimination protections, Head Start providers would be able to discriminate on the basis of religion in federally funded positions, even when engaging in

purely secular early childhood education activities. Faith-based organizations have been partnering successfully with the government for a number of years without the need to bypass civil rights laws in their efforts to provide social services.

We do not object to faith-based organizations providing education-related services or other social services. Indeed, we deeply respect the faith community's vital contribution to care for the most vulnerable among us. Just as it is important these vital programs continue to provide services, it also remains important that federal funds are not used to discriminate on the basis of religion or sexual orientation or gender identity.

For these reasons, we urge you to oppose any amendment to the legislation which would rollback these critical civil rights protections and work to produce a bipartisan bill to reauthorize the Head Start program. A vote on an amendment permitting federally funded discrimination will be considered a key vote for the Human Rights Campaign.

Should you have any questions please do not hesitate to contact Angela Clements on our staff at (202) 216–1520.

Sincerely,

DAVID M. SMITH,
Vice President for Policy and Strategy,
CHRISTOPHER LABONTE,
Legislative Director.

NATIONAL COUNCIL OF JEWISH WOMEN,
September 19, 2005.

DEAR REPRESENTATIVE: On behalf of the 90,000 members and supporters of the National Council of Jewish Women (NCJW), I am writing to ask you to oppose the Boehner amendment to H.R. 2123, the School Readiness Act of 2005, and to oppose final passage of the bill if this amendment is adopted. NCJW has been involved with Head Start since its inception, and we strongly support the program and H.R. 2123 as passed unanimously by the Education and the Workforce Committee. Efforts to amend the bill to open the door to religious discrimination would compromise the success of this program. NCJW believes that taxpayer funds should never be used to subsidize discrimination on any basis.

Since President Nixon signed the Head Start program into law four decades ago, this acclaimed early childhood education program has included civil rights language protecting Head Start teachers from employment discrimination. This provision works well, allowing religious organizations to participate in Head Start while maintaining constitutional and civil rights standards.

NCJW strongly supports the bipartisan effort to reauthorize Head Start. But the Boehner amendment looms as a ''poison pill'' undermining this bipartisanship. House consideration of H.R. 2123 should focus on meeting the needs of disadvantaged children—improving policy and providing sufficient funds to extend Head Start to all eligible children. The Boehner amendment is totally unnecessary and interjects a controversial, political issue which has the potential to threaten the bill's progress. The House of Representatives must not roll back critical civil rights protections.

For over a century, NCJW has been at the forefront of social change, raising its voice on important issues of public policy. Inspired by our Jewish values, NCJW has been, and continues to be, an advocate for the needs of women, children, and families and a strong supporter of equal rights and protections for everyone.

I urge you to oppose any amendment allowing employment discrimination and to oppose the underlying bill if such an amendment is included.

Sincerely,

PHYLLIS SNYDER,
NCJW President.

NATIONAL COUNCIL OF LA RAZA,
Washington, DC, September 19, 2005.

DEAR MEMBER OF CONGRESS: On behalf of the National Council of La Raza (NCLR), the largest national Latino civil rights and advocacy organization in the U.S., I write on an issue of great importance to the Hispanic community. On Thursday, the House of Representatives is scheduled to vote on legislation to reauthorize the Head Start program, the ''School Readiness Act of 2005'' (H.R. 2123). This legislation is the result of bipartisan work of the Committee on Education and the Workforce to address much-needed improvements to the program for Latino children. However, NCLR is concerned that this bipartisan work will be jeopardized by an amendment that would allow for employment discrimination based on religion in the program.

NCLR has long recognized that Head Start is a critically important program for ensuring that Latino children begin their school careers ready to learn. For these reasons, NCLR has pursued a reauthorization agenda focused on ensuring that Head Start continues to show progress in its effort to eliminate disparities in access and enhance the quality of services for Latino and limited-English-proficient (LEP) children and their families. We are pleased that Members from both sides of the aisle supported this agenda and worked to include provisions in H.R. 2123 that significantly improve the program for Latinos. These provisions include, but are not limited to, the following:

Additional resources for Migrant and Seasonal Head Start (MSHS) program expansion, which will allow for thousands of farmworker children to exit the fields and enter the classroom.

An accountability provision which ensures that Head Start providers serve new populations in their local communities through enhanced monitoring and evaluations of annual community assessments.

A new requirement that the Secretary conduct a study on the status of LEP children and their families in Head Start and Early Head Start programs.

A new requirement that the Secretary utilize training and technical assistance funds for activities aimed at assisting Head Start providers to conduct outreach and improve the quality of services to LEP populations, particularly in states with new and rapidly growing LEP populations.

A new requirement that all Head Start parents receive information and services in their home language, when possible.

A new requirement that, in addition to making progress toward acquisition of the English language, LEPs show progress toward the school readiness indicators outlined in the Head Start education performance standards.

In addition, while NCLR is pleased with the aforementioned provisions in H.R 2123, we stand in solidarity with the broader civil rights community in our strong opposition to any amendment that could open the door to employment discrimination based on religion in the Head Start program. Foremost, such an amendment is unnecessary for ensuring greater participation from the faith-based sector in the program; faith-based providers have served as an important partner in Head Start since the program's inception. Moreover, such an amendment will only serve to deter critical attention and debate away from provisions in the legislation that have garnered strong bipartisan support, such as improvements to the program for Latino children. We urge Members of Congress to vote NO on any amendment seeking to allow recipients of Head Start funds to discriminate based on religion. NCLR may recommend that any vote related to such an amendment be included in the National Hispanic Leadership Agenda Legislative Scorecard.

In closing, NCLR affirms its strong support of provisions included in H.R. 2123 which increase access to and improve the quality of Head Start for Latino children. We are certain that these policy changes will go a long way toward ensuring that Latino children fully benefit from the program and that Head Start remains a model for early education into the future.

Sincerely,

JANET MURGUIA,
NCLR President and CEO.

PEOPLE FOR THE AMERICAN WAY,
Washington, DC, September 16, 2005.

DEAR REPRESENTATIVE: On behalf of the more than 750,000 members and supporters of People For the American Way, we urge you to maintain the bipartisan direction of H.R. 2123, the ''School Readiness Act of 2003,'' and oppose any attempt to repeal longstanding anti-discrimination protections. We commend you on your bipartisan efforts on Head Start reauthorization legislation. Head Start programs not only offer opportunities to thousands of low-income children, they also enrich their communities by providing job opportunities to over a third of the parents whose children have participated in the program. As it stands, this bill currently upholds key anti-discrimination provisions that have been part of Head Start since its inception.

However, in a statement released by the Committee on Education and the Workforce on May 5, 2005, Chairman Boehner stated that he anticipates and supports an amendment on the House floor to rollback longstanding critical civil rights protections. This type of amendment would be a direct attack on bipartisan, anti-discrimination provisions that have been part of Head Start since its creation in 1981 and cannot be tolerated. People For the American Way cannot support a compromise that does not ensure that the existing civil rights protections in H.R. 2123 are not summarily removed on the House floor.

Proponents of anti-civil rights provisions claim there is a need to exempt religious organizations from anti-discrimination laws in order to protect the religious identity of that organization. This is simply not true. For decades, religious organizations have partnered with the government to provide social services. They have done so by separating their worship and related activities from government-funded social services, and, where necessary, creating a separate nonsectarian 501(c)(3) organization to provide the services. Under this model, religious organizations have provided an invaluable contribution to the education of thousands of Head Start students and to the communities in which they live. Congress should not adopt changes that would alter this beneficial relationship, particularly when there is no evidence that religious organizations are actively seeking the religious exemption in question.

Again, we are pleased with the bipartisan direction of Head Start reauthorization legislation. However, we are concerned with any amendments which would rollback longstanding critical civil rights protections and thereby detrimentally affect Head Start teachers, students and their parents. The current, delicate balance encouraging the participation of religious organizations and

compliance with our Constitution should not be disrupted. For these reasons, we urge you to continue efforts to ensure that this legislation remains bipartisan, as well as oppose any attempts to repeal longstanding anti-discrimination provisions in H.R. 2123.

Sincerely,

RALPH G. NEAS,
President.
TANYA M. CLAY,
Deputy Director of Public Policy.

UNION FOR REFORM JUDAISM,
September 19, 2005.

DEAR REPRESENTATIVES: On behalf of the Union for Reform Judaism, whose 900 congregations across North America encompass 1.5 million Reform Jews, and the Central Conference of American Rabbis (CCAR), whose membership includes over 1800 Reform rabbis, I strongly urge you to maintain the bipartisan character of the School Readiness Act of 2005 (H.R. 2123) by opposing any attempt to repeal longstanding civil rights protections that prohibit faith-based Head Start centers from discriminating in whom they hire on the basis of religion. Should such language be added to the bill, I urge you to vote against final passage.

We expect government-funded programs to hire the people who are most qualified, not those whose religious beliefs best match those of an employer. This is especially problematic in relation to Head Start. One's faith does not determine how one reads a book to preschoolers or sings the ''alphabet song.'' To deny children living in poverty the most qualified teacher is nothing short of an attack on Head Start's core mission—preparing children to succeed in school.

Since its founding, Head Start has prided itself on the strength of its family involvement component. Head Start has successfully trained many of its low-income parents to work at Head Start centers, helping parents rise out of poverty. In fact, the Family and Child Experiences Survey, prepared in January 2002 for the U.S. Department of Health and Human Services, found that over 40 percent of Head Start staff members had children in their households who were current or former Head Start participants. On the day this bill becomes law, faith-based Head Start programs could fire such staff members because of their religious beliefs. A Head Start center could refuse to consider a qualified parent for a job because of the way the parent chooses to worship. Experience teaches us that a broad exemption for religious organizations would permit religious groups to use government money to discriminate based on race, sexual orientation, and marital status.

We are pleased with the bi-partisan efforts to improve upon previous Head Start reauthorization attempts. However, on the day that H.R. 2123 was introduced, Representative John Boehner (R–OH) stated his intention to offer an amendment to roll-back the current civil rights protections within the Head Start program when the bill is considered by the full House. To plainly state such intentions diminishes the much-heralded bipartisan spirit of the bill and undermines the gains made thus far in the mark-up process.

Our tradition includes a story of a teacher whose prayer for rain was answered promptly. Asked to tell of his special merit, he replied: ''I teach children of the poor as well as of the rich; I accept no fee from any who cannot afford it; and I have a fishpond to delight the children and to encourage them to do their lessons.'' Since 1965, through its comprehensive services and high quality standards, Head Start has striven to give millions of children an equal opportunity to succeed in school, nurturing their love of learning and delight in life. I urge you to protect such opportunity for our nation's teachers, parents, and children by opposing any attempt to repeal the civil rights protections in H.R. 2123.

Respectfully,

RABBI DAVID SAPERSTEIN.

DEAR REPRESENTATIVE: we, the undersigned religious and religiously affiliated organizations, write to urge you to oppose the planned Boehner religious discrimination amendment to the School Readiness Act (H.R. 2123), the bill reauthorizing the Head Start program. The bill approved 48–0 by the House Committee on Education and the Workforce that reaches the House floor is the product of many months of hard work resulting in a strong bipartisan agreement. It maintains critical civil rights protections in Head Start, preventing religious discrimination in federally funded Head Start positions. Any attempts to amend the bill and repeal these protections threaten not only the bipartisan spirit of the bill, but the integrity of the Head Start program itself. If the promised Boehner amendment passes, we urge you to vote ''no'' to H.R. 2123. We are disappointed that an otherwise acceptable bill could be jeopardized with such an unwise amendment.

We represent a diverse array of religions, covering the political and ideological spectrum. We stand united to oppose this unwarranted attack on a vital civil rights provision that protects over 1.6 million teachers and parent volunteers from having to choose between their religion and their participation in the local Head Start program.

The bipartisan bill that passed unanimously out of the Committee on Education and the Workforce has the potential to garner support from a broad range of groups, including all of the religious groups on this letter, but not if the proposed language is included. As religious institutions, we support preserving the autonomy of religious organizations with respect to hiring decisions made in privately funded programs. However, we also recognize the importance of ensuring that taxpayer dollars do not fund positions connected with the operation of the program itself where candidates may be disqualified because of the religion they practice. The longstanding nondiscrimination provision included in Head Start legislation since 1972 strikes the appropriate balance between religious autonomy and nondiscrimination. For over three decades, religious organizations have enthusiastically and effectively participated in the program while upholding constitutional and civil rights standards. We are not aware of any call by these religious based Head Start programs for congressional authority to begin to discriminate on the basis of religion in this government-funded program.

As religious and religiously affiliated organizations, we strive to make the world a better place for the next generation and generations to follow. The Head Start program is an extremely successful government funded means of achieving this goal, providing opportunities for nearly one million at-risk children each year. We urge you to oppose any effort, such as Rep. Boehner's planned floor amendment, to change this crucial program by stripping its civil rights protections and allowing providers to discriminate on religious grounds.

Thank you for your consideration of this important matter.

Respectfully,

African American Ministers in Action, American Baptist Churches, USA, American Jewish Committee, American Jewish Congress, Baptist Joint Committee for Religious Liberty, Central Conference of American Rabbis, Christian Justice Action, United Church of Christ, Disciples of Justice Action Network (Disciples of Christ), Equal Partners in Faith, Faith Action Network of People For the American Way.

Na'Amat USA, National Council of Jewish Women, The General Board of Church and Society of The United Methodist Church, The Interfaith Alliance, Texas Faith Network, Sikh American Legal Defense and Education Fund (SALDEF), Union for Reform Judaism, Unitarian Universalist Association of Congregations, Women of Reform Judaism.

OMB WATCH,
Washington, DC, September 16, 2005.

DEAR REPRESENTATIVE: OMB Watch strongly urges you to oppose the any attempt to include ''charitable choice'' provisions in the Head Start program, which would allow religious organizations to discriminate on the basis of the religion when hiring for federally funded programs.

Religious organizations play a meaningful role in the delivery of social service programs. We do not question the right of religious organizations to participate in federal programs, nor their ability to avail themselves of an exemption under Title VII of the Civil Rights Act of 1964 that allows religious organizations to hire co-religionists with their own money.

However, we do question whether federal dollars should fund discrimination by the very few religious organizations that refuse to follow the same rules that all other organizations participating in federal programs follow. Although religious employers have the right under Title VII to apply religious tests to employees, the Constitution requires that the direct receipt and administration of federal funds remove that exemption.

In addition, the federal government has constitutional obligations reinforced by Chief Justice Rehnquist's majority opinion in Bowen v. Kendrick, 487 U.S. 589 (1988). The Court stated that although the Constitution does not bar religious organizations from participating in federal programs, it requires (1) that no one participating in a federal program can ''discriminate on the basis of religion'' and (2) that all federal programs must be carried out in a ''lawful, secular manner.'' Id. at 609, 612.

Faith-based and secular grantees face high standards and must be treated equally. The acceptance of federal funds—taxpayer money—should require all recipients to practice non-discrimination in hiring as it relates to those funds.

I urge you to maintain the integrity of religious grantees and prevent government-funded religious discrimination by opposing any attempt to include ''charitable choice'' provisions into the Head Start program.

If you have any questions, please contact Jennifer Lowe at 202–234–8494. Thank you for your attention to this matter.

Sincerely,

GARY BASS,
Executive Director.

Mr. BOEHNER. Mr. Chairman, I yield myself the balance of my time.

The underlying reauthorization bill here is a good one, to help Head Start children to get the head start they need if they are going to have a chance to succeed in school. And we know from all of the studies for low-income children to have a chance in school, going through an early childhood development program like Head Start is

absolutely essential and that those children that are involved in Head Start and other like programs have a much better opportunity and a much better chance to succeed while they are in school.

We are about to get into the amendment process where we will consider a number of amendments to perfect this bill, and I would ask my colleagues to pay attention to these amendments. I think for most of them there is quite a bit of agreement. But, clearly, the one amendment dealing with the rights of faith-based organizations will draw an awful lot of attention.

But I would ask my colleagues, why should we not let the House work its will? If Members agree or disagree, we ought to have that right and we ought to respect the outcome of that vote.

Ms. KILPATRICK of Michigan. Mr. Chairman, I reluctantly rise in opposition to the passage of the H.R. 2123, the School Readiness Act, a bill that reauthorizes the Head Start program through fiscal year 2011. Although the underlying bill enjoys wide, bipartisan support, the adoption of the amendment offered by the gentleman from Louisiana (Mr. BOUSTANY) has the effect of being a poison pill and makes the bill unpalatable.

The Boustany Amendment permits faith-based organizations providing Head Start service to hire and fire on the basis of religious affiliation. The adoption of this amendment allows faith-based organizations to discriminate in hiring. This practice will work against a key object for which Head Start was designed to address: moving children and families out of poverty.

The Boustany Amendment also drives a wedge within the faith-based community. The Head Start program was first established 1964 through the cooperation of African-American churches throughout the segregated South. From its birth, Head Start and the religious community have developed a strong partnership in the delivery of critical education and social services that have been the building blocks to escaping poverty. This relationship has worked well for generations and now it will be jeopardized if this provision is allowed to remain in the bill. Many faith-based organizations who sponsor Head Start programs have experienced no problems in fulfilling their spiritual mission and honoring the non-discrimination in hiring requirements under the Civil Rights Act. Permitting faith-based organizations to use federal dollars to discriminate in hiring is a step backwards in the continuing struggle for civil rights, a step I am not willing to support.

To remove the civil rights protections guaranteed under this program compromises the very purpose of this program. For this reason, I cast my vote in opposition to H.R. 2123.

Mr. BLUMENAUER. Mr. Chairman, Head Start is a program with many success stories, providing more than 900,000 low-income children with comprehensive educational, medical, dental, and nutritional services. It is an investment in our future. I am happy to see some improvement offered in the School Readiness Act of 2005, such as abandoning block-granting, increasing accountability on academic performance and content, and teacher quality. Unfortunately, this bill falls short of the expectations set by my local community and I cannot support it.

It does not go far enough in providing additional funding for teachers so they may acquire bachelor's degrees by 2011. In Oregon, only 58 percent of the eligible children are being served. Instead of focusing on getting more eligible children into the program, the Republican Leadership is once again attempting to repeal civil rights protections by introducing an amendment permitting religious organizations to use federal funds to discriminate in hiring and firing decisions. Faith-based organizations have long participated in the Head Start program and have successfully received federal funding without discriminating.

Head Start is a bright light for families and children who need an extra boost into the future. It is a program that demonstrates that we care about all families within our communities. I cannot support a bill that discriminates and ignores equality protections.

Mr. MORAN of Virginia. Mr. Chairman, I rise in support of the School Readiness Act which will reauthorize the Head Start program, but this measure will not get my vote if the amendment allowing for religious discrimination is adopted by this House.

I think that we can all agree that this is not a perfect bill, though it is certainly an improvement over the Headstart reauthorization bill that the 108th Congress considered.

As a former mayor of the city of Alexandria, Virginia, I know just how important Head Start programs are to communities because they help to provide our low-income preschool-aged children much needed services such as child development, educational, health, nutritional activities which help them receive greater advantages in life. More importantly, these programs help to level the playing field for disadvantaged children and prepare them for school.

In addition to the educational services that are provided by Head Start programs, some of the other services include health screenings, such as dental and eye care. Statistics have shown that children who receive these crucial services, along with a hot breakfast every morning, have increased their readiness for school.

In my congressional district, one of the most successful Head Start programs is the Alexandria Head Start. This is a collaboration that the Campaign Center, the city of Alexandria and the Alexandria City Public Schools system formed about 37 years ago.

AHS serves over 250 Head Start children and because of a wonderful group of dedicated educators and involved parents, these children are truly getting a ''head start.''

I am pleased that many of my low-income constituents are served by Head Start programs. I am concerned, however, that the School Readiness Act's authorized funding levels, with limitations, will allow less than one-half of the eligible preschoolers, to participate in Head Start.

Unfortunately the cost of the Iraq war and massive tax cuts have produced a fiscal crisis which now translates into the under-funding of critical programs like Head Start and others focused on our low-income citizens.

I am saddened that so many children, who truly would benefit from participation in a Head Start program, will not be given a chance of doing so, and as a result, will be far less likely to reach their true potential.

Another area of concern in this bill relates to teacher quality.

The School Readiness Act will require that half of the Head Start teachers nationwide have at least a B.A. in child development or a related field by 2011, and that all new teachers, beginning three years after the enactment of the bill have at least an associate's degree or be enrolled in a program to achieve an associate's degree.

While I certainly agree that our Head Start teachers should be highly educated, however, unless additional funding is provided for increased salaries, it will be extremely difficult for Head Start programs to attract and more importantly, retain the highly educated teachers the bill requires.

Why would someone who is interested in being a teacher and possesses the education and background the bill requires, choose to make $25,000 a year as a Head Start teacher instead of $41,000 as a kindergarten teacher for a school system that provides its teaches with cost-of-living adjustments?

The non-profit Trust for Early Education said it best in a recent report, ''If we do not provide appropriate compensation for our pre-kindergarten teachers, they will leave the pre-kindergarten classroom.''

The School Readiness Act needs to provide Head Start programs with the financial ability to recruit and retain our Nation's brightest teachers to educate our Nation's most disadvantaged.

I am also adamantly opposed to the Boustany amendment.

If a Head Start program is being administered by a faith-based institution and it is receiving federal funding for the program, it must not be permitted to discriminate on religious grounds when making employment decisions.

It is as simple as that.

Head Start teachers and workers not only provide cognitive development services to children; they help in the development of children's character.

Most preschoolers have a strong sense of right from wrong. This will be setting a confusing example if we authorize discrimination of any kind. This amendment is opposed by every credible anti-discrimination an civil rights protection organization, and I ask my colleagues to oppose it.

It was once said that ''Education is the great equalizer in a democratic society, and if people are not given access to a quality education, then what we are doing is creating an underclass of people who will ultimately challenge our very way of life.''

While I recognize the shortcomings of the School Readiness Act, it is a worthwhile effort that will help our low-income children by working to level a very un-level playing field, so they will be prepared and successful in school.

Mrs. JONES of Ohio. Mr. Chairman, I rise today to address the House about H.R. 2123, the Head Start School Readiness Act of 2005. Once again, we gather here to address the needs of the Nation's youth and debate how we will meet those needs.

For the past 30 years, Head Start has set the foundation for the educational achievement of most young children in this country and has many of today's successful young adults as its proof of effectiveness. Many years ago, we did the necessary research and identified the conditions under which young children are more receptive to learning. We realized that it would take special effort and targeted resources to prepare children for the rigors of the academic day.

From the beginning until today, we have implemented changes to reflect technological advances, changing demographics, professional advancements, etc. We, as a Nation, have risen to the call of our children and provided a caring, nurturing responsive environment for them. We spend millions of dollars every year training teachers to carry out the Head Start function.

Mr. Chairman, we also lose those well-trained individuals one after the other because we professionally abandon them after we have spent hard earned dollars training them. Along with my colleague from Illinois, I sought to provide the authorization for Head Start to implement salary and work incentives to retain trained teachers in the Head Start program. The amendment was not ruled in order and we have not had the opportunity to even have a discussion about the amendment. We proposed up to $300 million to aid the many Head Start programs nationwide.

Mr. Chairman, rejecting my amendment I believe deprived the American people of an opportunity to hear how their elected representatives viewed something as critical as Head Start. It would have given the voting public an opportunity to compare how we prioritize items. They would have heard us debate how to spend our scarce dollars. They would have had a reference point and a window seat to observe how we determined what is important and measure that with what they think is important. To some the comparison may have been Head Start versus Iraq; for some it may have even been Head Start versus health care; for others it may have been Head Start versus affordable housing.

As one who has fought tirelessly for the victims of natural and manmade disasters, I have supported every effort to rebuild New York after 9/11; I have supported every dime of supplemental funds for the victims of Hurricane Katrina; I have supported appropriations bills for every conceivable assistance package this country has had to provide. I now stand in support of retaining qualified certified and government-trained teachers in a Head Start program free from discrimination, prejudice and intolerance. I submit to you, Mr. Chairman, it is not too much to spend and it is right on time.

In any case, the people will not get that chance. They will never know if we may have carefully studied this issue and decide teacher retention was a worthy, valuable and cost effective expense.

What they will hear is a debate on an amendment designed to re-introduce discrimination and disadvantage to a program created to overcome the vestiges of poverty, racism, and academic neglect. This House will debate an amendment today to permit faith-based recipients of Federal Head Start dollars to discriminate against individual based on their individual, guaranteed right of free religious affiliation. As a former judge and prosecutor and an American—I am offended and insulted.

We as a body cannot effect a simple reauthorization because each time we get to a bipartisan agreement to move Head Start in to the 21st century—this poison pill provision rears its ugly head. Not to mention separation of Church and State.

Mr. Chairman, this is a sad and unfortunate event in the history of this august body: That after over 200 years as a sovereign country—with a checkered past, at best, on discrimination, we now debate discrimination by statute in the case of our young and budding leaders of tomorrow. I rise in objection to this amendment to permit discrimination based on religious affiliation in the Head Start program.

I raise the highest objection that I can to rolling back over 200 years of progress on justice, harmony and tolerance. I rise in objection to holding the future of Head Start hostage to this provision.

Equally important, I rise to object to the proverbial slap in the face this amendment visits upon true and significant bipartisanship. I commend the chairman and the ranking minority on the Education and Workforce Committee for their commitment to the children of this Nation by presenting a bill free of polarizing provisions. Unlike so many contentious issues brought before the House, bipartisanship was not D.O.A.—''Dead on Arrival.'' Instead, a bipartisan, thought provoking legislative initiative was D.U.A.—''Dead Under Attack.''

Mr. Chairman, I urge my colleagues to reject this amendment and let Head Start get on with the business of preparing America's youth for tomorrow.

Ms. BORDALLO. Mr. Chairman, today, in honor of the reauthorization of the Head Start Program, I would like to recognize the contributions of Head Start to the education of children in Guam and throughout our Nation. Head Start programs across the United States have been an essential part of the academic, physical, emotional, behavioral and cognitive development of 3 and 4 year olds.

Early childhood education for pre-schoolers is extremely important as an essential element of child development. Guam's Head Start programs have educated thousands of children over the past 30 years to become good upstanding citizens. The program not only caters to the children, but integrates the involvement of parents to nurture an ongoing education in the homes.

I commend all the hard working teachers who have enthusiastically and effectively worked to positively influence the lives of at-risk children and their families. I support Head Start and H.R. 2123, which is critical to provide adequate funding for this wonderful program.

Mr. UDALL of Colorado. Mr. Chairman, I rise in support of this bill, though I have concerns about one specific provision that would go too far to allow discrimination.

The basic tenet of Head Start is as true today as it was a generation ago—quality early education programs can be instrumental in helping children overcome barriers to learning. This program not only plays an important role in providing opportunities for the next generation but also has an important impact on our economy. For every dollar spent on Head Start, we receive seven dollars back. There are few federal programs that can boost that kind of success.

As a nation we must ensure that our children are prepared, academically, emotionally and nutritionally to enter school. Removing the outside forces that result in under-prepared students opens up children's minds to learn and gain an education. Head Start is one of the most important programs in our government and I am pleased to see this bill come to the floor with bipartisan support.

Unfortunately, I have concerns about an amendment passed by this body that allows faith-based Head Start grantees to discriminate in hiring based on religion. Federally supported programs should never support discrimination in its programs on any level. Since Head Starts inception in 1972 it has never discriminated in hiring for faith based and other organizations. There is no need to start now.

I was pleased the House did not adopt an amendment offered by Ms. MUSGRAVE that would allow for-profit Head Start providers to collect federal funds as profit. While for-profit Head Start grantees play an important role in school readiness, I do not support allowing them to collect a profit from federal grants provided to serve low-income students. Any savings from funds designated for administrative costs should go towards serving the needs of these low-income students. This amendment provides the wrong type of incentive for Head Start grantees.

While this bill is not perfect, there are many provisions that will provide needed and worthwhile reforms to Head Start. Head Start has proven to be a successful program and this bill will largely make it even more successful and efficient. So Mr. Chairman, I am voting in favor of this bill.

Mr. RUPPERSBERGER. Mr. Chairman, for almost 40 years, Head Start has assisted low-income preschool children and their families. It has been an invaluable resource to many children and families across our country.

I am pleased to rise to join with my colleagues about the future of Head Start. As Congressman and a former County Executive, education is one of my top priorities. In particular, Head Start programs are essential to so many children's futures, for research shows that early learning is a fundamental piece of a child's education.

I have long held a firm belief in the importance of education and have often spoke of our nation's need to ensure that, even at the earliest stages our children have access to programs and services that will enrich their education and lives.

Last year, Head Start helped 912,000 three, four, and five year olds build a solid foundation so they are ready to tackle reading and math in kindergarten. Head Start allows children to be ready to succeed in school and in life. Giving them that extra boost that they need will allow them to be productive citizens.

Head Start also provides the youngsters and their families with a comprehensive list of support services—from health screenings to nutritional advice to parent counseling.

I stand behind this program because I have seen first hand how Head Start helps the entire family grow and succeed together.

Head Start is a good start for America's future.

Mr. STARK. Mr. Chairman, I rise today in opposition of H.R. 2123, the School Readiness Act of 2005.

Disappointingly, I would have voted for this legislation to reauthorize the Head Start program if it were the same bill that the Education and Workforce Committee passed unanimously with bipartisan support. That bill's new teacher qualifications and increased accountability would have greatly improved the educational outcomes for children in the Head Start program. I would have preferred that bill provide more funding to ensure all eligible children can receive Head Start services, but on balance, the bipartisan bill was worth voting for.

Instead, the Republican Majority has added an amendment which would, for the first time

in Head Start's 30-year history, allow a faith-based sponsored Head Start Program to use Federal taxpayer dollars to discriminate against highly qualified teachers and other employees solely because of their religious views. Ironically, even the faith-based community Republicans spend so much time pandering to is opposed to this discriminatory amendment. Groups including the Baptist Joint Committee, American Jewish Congress and African American Ministers in Action oppose the notion that Head Start should allow religious discrimination.

This Head Start bill, however, is only the latest example of such prejudice; President Bush and his Congressional Republican counterparts have steadily pushed an agenda latent with religious discrimination. Most recently, the Majority has sought to impart their religious views on historically secular programs such as the Workforce Investment Act and the Community Services Block Grant.

Perhaps what is most abhorrent is that the Republican Party wants to institutionalize discrimination in a program that provides early childhood development and educational services that are intended to prepare low-income children to enter kindergarten and improve their success later in life. These are not the ''family values'' we should teach our children, whether it's paid for with tax-payer funds or not.

I urge my colleagues to vote against this legislation. It is time to show the American people that this Congress supports tolerance over discrimination. It is time we had a Head Start Reauthorization bill that focuses on improving the educational development of our children, and is not being used as a vehicle to teach our children one of the world's ugliest lessons: discrimination.

Mr. BACA. Mr. Chairman, I rise today in support of H.R. 2123, the School Readiness Act of 2005.

The goal of the Head Start program is to give at-risk children all across our Nation a fair chance at succeeding in the educational system.

Head Start is especially important to Latino children. Latino children make up more than one-third, 34 percent, of all those eligible for the program. In my home State of California, 65.8 percent, which is almost two-thirds, of those enrolled in the Head Start program are Latino. As the Hispanic population experiences rapid growth, Head Start services must be strengthened to reflect the unique needs of Latino families. Head Start's ability to improve the educational skills and opportunities of Latino children will be an important component of America's future success.

Head Start has long lasting effects on those most in need. Head Start graduates are more likely to graduate from high school and less likely to need special education, repeat a grade, or commit crimes in adolescence.

This bill improves the program in several key ways: It increases funding for underserved children: for the children of migrant and seasonal workers, it will allow approximately 10,000 more children to leave the agricultural fields and enter the classroom; it expands the Native America Head Start programs; and it also works towards ensuring that parents can get information in their native language, when possible.

This bill was passed unanimously out of the Committee on Education and the Workforce in May. It is important that we pass this legislation as a bipartisan effort to help American youth. Unfortunately, the Boustany amendment would jeopardize this important bill by allowing for employment discrimination based on religion. That kind of partisan politics has no place in a bill that is about increasing educational opportunities for our children.

Many of our Latino parents and children already face a number of barriers in accessing the Head Start program. We must not add additional barriers or sacrifice their futures.

It would place tens of thousands of already at-risk children in danger of losing their Head Start teachers. And in doing so, it would block countless low-income and minority parents from climbing the ladder out of poverty.

We should not make it more difficult to participate in a program that enables thousands of parents to make the life-changing transition from being a parent volunteer to being a trained and paid Head Start teacher. This amendment is inconsistent with American values of tolerance and respect for all religions. Instead of trying to tack on a partisan amendment, we should pass a bill that maintains Head Start's high standards and allows Head Start centers to hire the most qualified teachers. That is what's best for our children and for our country.

I urge my colleagues to vote ''no'' on the Boustany amendment.

Mr. VAN HOLLEN. Mr. Chairman, in solidarity with the National Head Start Association, the Children's Defense Fund and countless other lifelong advocates of the Head Start program, it is with a heavy heart that I must oppose this final, amended version of the Head Start reauthorization on the floor today.

It did not have to be this way.

I sit on the Education and Workforce Committee, which reported a genuinely bipartisan Head Start bill to this House. It wasn't perfect, and it did not reflect in every respect the Head Start reauthorization I would have written. For example, an amendment I offered to fully fund the program so that every eligible child could reap its benefits was defeated on a party line vote. Moreover, a second amendment I proposed to offset the significant costs faced by Head Start grantees working to comply with the Department of Health and Human Services' transportation safety requirements so that program dollars weren't diverted from serving kids was similarly not included.

But, unlike failed initiatives in the recent past, the committee reported bill did not walk down the misguided path of block granting the Head Start program. Additionally, it took very positive steps towards establishing high standards for teacher quality and strengthening accountability for underperforming programs. It even included an amendment I offered on a bipartisan basis with Representatives PLATTS and BIGGERT to provide grantees new flexibility to serve additional needy children when program slots became available.

That is why I am so disappointed to vote against this bill today. With the inclusion of the Boustany amendment, this bill for the first time seeks to legitimize publicly funded religious discrimination in the Head Start program. It takes money from taxpayers and then turns around and tells those same taxpayers they can be excluded from federally funded jobs in a Head Start center solely on the basis of their religious beliefs. In effect, it is a green light for religious bigotry.

It has no place in the Head Start program, and it is precisely the wrong message to be sending to our nation's children. I will continue to support Head Start. But I must forcefully oppose this legislation.

Ms. ROYBAL-ALLARD. Mr. Chairman, after years of hard work on both sides of the aisle to create a Head Start reauthorization bill that treats our Nation's neediest children fairly, it is with a heavy heart that I must oppose the final passage of H.R. 2123.

Head Start is designed to ensure that all children—regardless of their family's income, race, or ethnic background—are able to enter kindergarten ready to learn. The Boustany amendment, which promotes discrimination on the basis of religion for faith-based organizations, destroys the principle of fairness that I believe is central and crucial to the success of Head Start. It is for this reason that I cannot support final passage of the bill.

I have long been a supporter of the Head Start program because each and every year I witness the dramatic positive impact that early intervention services have on children's lives in my congressional district. My district includes many children who are in desperate need of Head Start services, especially those Hispanic children who depend on Head Start services to learn critical early literacy skills. These skills are doubly important now to meet the rigorous requirements of the No Child Left Behind Act. Latino children currently make up more than one-third of all eligible Head Start children, and the Los Angeles County Office of Education is home to the largest Head Start program in the Nation, serving more than 24,000 children. As a member of the Appropriations Subcommittee on Labor, Health and Human Services, and Education, I have continuously supported strong and sustained funding for the Head Start program.

During consideration in the Education and the Workforce Committee this year, Democrats and Republicans worked constructively together to improve the delivery of Head Start services to the target populations. The product of this collaborative process was a bill that contained several forward-looking provisions that would help the overall administration and accountability of the program. In particular, I highlight the reauthorization bill's provisions to ensure that Head Start teachers possess at least an associate's degree in early childhood education within three years of the bill's enactment. In addition, I applaud the provision that would allocate 5 percent of total funds toward programs that support the children of migrant and seasonal workers, an easily-overlooked populace that is disproportionately Latino.

It is important to note that I and my fellow Democrats recognize and appreciate the wonderful work that faith-based organizations do to support the mission of Head Start. Faith-based groups have and should continue to play a critical and respected role in the education of our Nation's youngsters.

While the participation of faith-based groups is respected and valuable, however, the Boustany amendment would seriously damage the mission of Head Start, which is to ''level the playing field'' when it comes to early childhood education. It is essential that faith-based groups respect the civil rights of the thousands of Head Start teachers and volunteers who are committed to improving the lives of children, regardless of their personal religious beliefs. There are many faith-based groups that

work to prepare preschool-aged children for school without federal funds, and it is entirely permissible for these groups using private funds to hire their teachers based on religious grounds. What the Boustany amendment would allow, however, is for faith-based groups to ignore civil rights precedent and discriminate on the basis of religion when those programs are supported by public funds.

It is important to note that not all faith-based organizations support the discrimination practices supported by the Boustany amendment. In fact, many religious organizations specifically oppose discrimination in hiring based on religion, including: American Jewish Congress, Church Women United, Interfaith Alliance/Foundation, Union for Reform Judaism, Unitarian Universalist Association of Congregations, and United Church of Christ Justice & Witness Ministries.

Although the Boustany discrimination amendment has forced me to oppose H.R. 2123, I remain committed to the Head Start program and the services the program provides to our country's underserved children. I can only hope that the Republican leadership will come to its senses during the conference of this bill with the Senate and move to eliminate this discriminatory provision so that Head Start can once again go forward with the universal support that it has earned and that it deserves.

Mr. MCKEON. Mr. Chairman, I rise in strong support of H.R. 2123, the School Readiness Act, which will strengthen the Head Start program by closing the readiness gap that exists between low and upper income children. I want to thank my good friends, Chairman BOEHNER and Congressman CASTLE, for their hard work on this important piece of legislation.

Created in 1965 and located in every community in the country, Head Start has been a valuable part of our nation in preparing lower-income children for elementary school. However, in spite of the good efforts of the program, there are still shortcomings that need to be addressed. We can do more to ensure that the disadvantaged children in this country are better prepared for school.

A readiness gap still exists between children in Head Start and their more affluent peers. The bill before us today will improve the Head Start program to help close the readiness gap by strengthening academic standards. The bill emphasizes cognitive development and the use of scientifically-based research in topics critical to a child's school readiness.

This bill also seeks to protect parents and taxpayers from financial mismanagement in the Head Start program. The federal government invests nearly $7 billion in the program, but sadly, dozens of media stories and an independent investigation by the Government Accountability Office revealed problems in the financial management of some Head Start grantees. We should do all that we can to ensure that Head Start dollars are going to meet the needs of the students and are not wasted due to a few bad grantees. The School Readiness Act strengthens safeguards to protect against financial abuse.

Mr. Chairman, this bill received unanimous support in committee, and I hope that it will also receive the full support of the whole House. H.R. 2123 is a good bill that will improve the lives and educational needs of our nation's most vulnerable children. I urge my colleagues to support the bill.

Mr. HONDA. Mr. Chairman, as a former teacher and principal, I rise today to voice my support for H.R. 2123, the bipartisan Head Start bill.

Since 1965, Head Start has helped over 20 million children build the confidence and skills they need to succeed in school and to become the leaders and productive citizens of the future. Children cannot learn when they are hungry, sick, or too worried about their families to concentrate in school. That is precisely why we need Head Start.

Head Start is unique in its comprehensive approach to supporting children and families, offering early education, health care, social services, and nutrition services, while emphasizing parent involvement and support. This approach has represented a formula for success for nearly 40 years.

I am pleased that my colleagues on the other side of the aisle have not pursued their strategy of last year and have worked with Members from this side of the aisle to produce a bill that does not include the block grant proposal that was advanced in the last Congress.

I am also pleased that the bill will align Head Start curricula with K–12 education while preserving the comprehensive nature of the Head Start program. This will support effective transitions for children's learning and development and ensure that children will enter school ready to learn. At the same time, the proposal will provide continuity for children by retaining

the essential parental involvement, nutrition, and other non-academic features of Head Start.

I am glad that H.R. 2123 has a strong focus on early childhood educator professional development. Improving teacher quality in Head Start is critical to increasing overall program quality and helping more children reach kindergarten better prepared to succeed. I am concerned, however, that while the bill requires teachers to have higher academic degrees, it provides no funding to support the implementation of its important teacher quality provisions. Improving teacher quality is very important, but without providing the means to support the provision, the initiative is severely undercut. I hope that this problem is addressed in conference.

Despite my support for the bill, I will vote against it if the divisive amendment being offered by Mr. BOUSTANY passes. I strongly oppose this amendment, which would allow faith based-sponsored Head Start programs to use Federal taxpayer dollars to discriminate against qualified teachers and other employees solely because of their religion or personal religious views.

Head Start began as a civil rights platform—ensuring that all children, regardless of race, ethnicity, or religion—get a head start in life. This amendment would roll back civil rights for Head Start teachers and parent volunteers by allowing religious discrimination. This is an outright assault on religious liberty and civil rights in federally funded programs. To trample on this now will turn back the clock on the progress we have made in protecting the civil rights of the people we entrust to give our children a head start.

Allowing discrimination based on religion would significantly impede the important goals of Head Start as well as sending a damaging message to students. Religious institutions have been providing invaluable Head Start services for years and do not need this misguided amendment to continue their good work.

As chair of the Congressional Asian Pacific American Caucus, I recognize how important Head Start is to APA communities. Nationwide, over 25,000 APA children are served by Head Start. In California alone, over 6,000 APA children are enrolled in Head Start, with over half of them coming from homes where English is not the primary language.

I want to support the improvements in Head Start that this bill will make in order to provide the children in these communities with the opportunities they richly deserve. But these communities, which have had to fight so hard to protect their own civil rights, do not want a Head Start program that discriminates and do not want Congress to act for the first time to specifically repeal civil rights protections against discrimination.

Mr. Chairman, I urge all Members to put the needs of children first, vote against the Boustany amendment which is a poison pill that will kill this bill, and make a real commitment to improve the Head Start program.

Mr. GENE GREEN of Texas. Mr. Chairman, I rise today to express my support for the Head Start Reauthorization Bill that was sent to this Chamber by the Committee.

Head Start is one of the best programs we offer our youngest students. A recent report on Head Start released by the Department of Health and Human Services shows that Head Start helps close the achievement gap between students of differing socio-economic status.

Since Head Start was created in 1965, it has proven to be our most valuable school readiness program in the history of this country.

Time after time, we have seen reports that prove students who attend Head Start perform better than those who don't.

It's important that this body reauthorize this program in a manner that shows bipartisan support for educating our children.

I agree with many of the provisions in this bill, such as safeguarding financial abuse and improving disclosure rules. Fraud and abuse of providers of Head Start Programs is indefensible.

The money allocated to Head Start programs should be used to educate children. Not for any other purpose. This bill cracks down on those programs engaging in fraud.

Also, this legislation keeps current health and nutrition services, which are essential for ensuring children can learn.

Young children have a difficult time learning if their basic needs aren't met. Providing health care is an essential part of this program.

The "best practices" provision of this bill will help improve the curricula of our Head Start Program.

I urge my colleagues to support this bill as it was reported from Committee. Thousands of children in my district benefit from Head Start and it's essential that we reauthorize this program with a bipartisan plan that will help this Program serve more children effectively.

Mr. BOEHNER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. BASS). All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2123

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''School Readiness Act of 2005''.

SEC. 2. PURPOSE.

Section 636 of the Head Start Act (42 U.S.C. 9831) is amended to read as follows:

''SEC. 636. STATEMENT OF PURPOSE.

''It is the purpose of this subchapter to promote school readiness by enhancing the development of low-income children, including development of cognitive abilities, through educational instruction in prereading skills, premathematics skills, language, and social and emotional development linked to school readiness and through the provision to low-income children and their families of health, educational, nutritional, social and other services that are determined, based on family needs assessments, to be necessary.''.

SEC. 3. DEFINITIONS.

Section 637 of the Head Start Act (42 U.S.C. 9832) is amended—

(1) in paragraph (17) by striking '', but for fiscal years'' and all that follows down to the period;

(2) by redesignating paragraphs (16) and (17) as paragraphs (23) and (24), respectively;

(3) by redesignating paragraph (15) as paragraph (21);

(4) by redesignating paragraphs (11) through (14) as paragraphs (16) through (19), respectively;

(5) by redesignating paragraph (10) as paragraph (14);

(6) by redesignating paragraphs (3) through (9) as paragraphs (6) through (12), respectively;

(7) by redesignating paragraph (2) as paragraph (4);

(8) by inserting after paragraph (1) the following:

''(2) The term 'challenging State developed academic content standards' has the meaning given such term in paragraphs (1) and (5) of section 1111(b) of the Elementary and Secondary Education Act of 1965.

''(3) The term 'deficient' means—

''(A) systemic or significant failure of a Head Start agency in an area of performance that the Secretary determines involves—

''(i) a threat to the health, safety, or civil rights of children or staff;

''(ii) a denial to parents of the exercise of their full roles and responsibilities related to program governance;

''(iii) a failure to perform the requirements of section 641A(a), as determined by the Secretary;

''(iv) the misuse of funds received under this subchapter;

''(v) loss of legal status (as determined by the Secretary) or financial viability, loss of permits, debarment from receiving Federal grants or contracts, or the improper use of Federal funds; or

''(vi) failure to meet any other Federal or State requirement;

''(B) failure of the board of directors of a Head Start agency to fully exercise its legal and fiduciary responsibilities;

''(C) failure of a Head Start agency to meet the administrative requirements of section 644(b); or

''(D) failure of a Head Start agency to meet the integration requirements of section 642B(a).'';

(9) by inserting after paragraph (4), as so redesignated, the following:

''(5) The term 'eligible entities' means an institution of higher education or other agency with expertise in delivering training in early childhood development, family support, and other assistance designed to improve the quality of early childhood education programs.'';

(10) by inserting after paragraph (12), as so redesignated, the following:

''(13) The term 'homeless children' has the meaning given such term in subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431–11435).'';

(11) by inserting after paragraph (14), as so redesignated, the following:

''(15) LIMITED ENGLISH PROFICIENT; LIMITED ENGLISH PROFICIENCY.—The terms 'limited English proficient' and 'limited English proficiency' mean with respect to an individual, that such individual—

''(A)(i) was not born in the United States or has a native language that is not English;

''(ii)(I) is a Native American, an Alaska Native, or a native resident of a territory or possession of the United States; and

''(II) comes from an environment in which a language that is not English has had a significant impact on such individual's level of English language proficiency; or

''(iii) is migratory, has a native language that is not English, and comes from an environment in which a language that is not English is dominant; and

''(B) has difficultly in speaking or understanding the English language to an extent that may be sufficient to deny such individual—

''(i) the ability to successfully achieve in classrooms in which the language of instruction is English; or

''(ii) the opportunity to fully participate in society.'';

(12) by inserting after paragraph (19), as so redesignated, the following:

''(20) PROFESSIONAL DEVELOPMENT.—The term 'professional development' means high quality activities that will enhance the school readiness of eligible children and prevent such children from encountering difficulties once they enter school by improving the knowledge and skills of Head Start teachers and staff, as relevant to their roles and functions, including activities that—

''(A) provide teachers with the content knowledge and teaching strategies needed to provide effective instruction and other school readiness services in early language and literacy, early mathematics, cognitive skills, approaches to learning, creative arts, science, physical health and development, and social and emotional development linked to school readiness;

''(B) assist teachers in meeting the requirements in paragraphs (1) and (2) of section 648A(a), as appropriate;

''(C) improve teachers' classroom management skills, as appropriate;

''(D) for teachers, are sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction and teachers' performance in the classroom;

''(E) are not primarily 1-day or short-term workshops or conferences, and attendance at activities that are 1-day or short-term workshops or conferences must be as part of the professional development plan defined in section 648A(f);

''(F) assist teachers and staff in increasing their knowledge and skills in program administration, program quality, and the provision of services and instruction, as appropriate, in a manner that improves service delivery to eligible children and families;

''(G) are part of a sustained effort to improve overall program quality and outcomes for eligible children and families;

''(H) advance teacher understanding of effective instructional strategies that are—

''(i) based on scientifically based research; and

''(ii) strategies for improving school readiness or substantially increasing the knowledge and teaching skills of teachers;

''(I) are, where applicable, aligned with and directly related to—

''(i) challenging State academic content standards, student academic achievement standards, assessments, and the Head Start Child Outcomes Framework developed by the Secretary;

''(ii) the curricula, ongoing assessments, and other instruction and services designed to help meet the standards described in section 641A(a)(1); and

''(iii) the Head Start Child Outcomes Framework developed by the Secretary;

''(J) are developed or selected with extensive participation of administrators and teachers from Head Start programs;

''(K) are developmentally appropriate for the children being served;

''(L) are designed to give teachers of limited English proficient children, and other teachers and instructional staff, the knowledge and skills to provide instruction and appropriate language and support services to increase the English language skills of such children;

''(M) as a whole, are regularly evaluated for their impact on increased teacher and staff effectiveness and improved ability of teachers to support learning and increase participating children's school readiness, with the findings of the evaluations used to improve the quality of professional development;

''(N) provide instruction in methods of teaching children with special needs, as appropriate;

''(O) include instruction in ways that Head Start personnel may work more effectively with parents, as appropriate; and

''(P) are designed to give teachers and staff the knowledge and skills to provide instruction and appropriate support services to children of diverse backgrounds, as appropriate.'';

(13) by inserting after paragraph (21), as so redesignated, the following:

''(22) The term 'scientifically based research'—

''(A) means research that involves the application of rigorous, systematic and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs; and

''(B) includes research that—

''(i) employs systematic, empirical methods that draw on observation or experiment;

''(ii) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;

''(iii) relies on measurements or observational methods that provide reliable and valid data across evaluators and observers, across multiple measurements and observations, and across studies by the same or different investigators;

''(iv) is evaluated using experimental or quasi-experimental designs in which individuals, entities, programs or activities are assigned to different conditions and with appropriate controls to evaluate the effects of the condition of interest, with a preference for random assignment experiments, or other designs to the extent that those designs contain within-condition or across-condition controls;

''(v) ensures that experimental studies are presented in sufficient detail and clarity to allow for replication or, at a minimum, offer the opportunity to build systematically on their findings; and

''(vi) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review.''; and

(14) by inserting after paragraph (24), as so redesignated, the following:

''(25) The term 'State educational agency' has the meaning given such term in the Elementary and Secondary Education Act of 1965.

''(26) The term 'unresolved area of noncompliance' means a failure to correct a noncompliance item within 90 days, or within such additional time (if any) authorized by the Secretary, after receiving from the Secretary notice of such noncompliance item.''.

SEC. 4. FINANCIAL ASSISTANCE FOR HEAD START PROGRAMS.

Section 638 of the Head Start Act (42 U.S.C. 9833) is amended by inserting ''for a period of 5 years'' after ''provide financial assistance to such agency''.

SEC. 5. AUTHORIZATION.

Section 639 of the Head Start Act (42 U.S.C. 9834) is amended to read as follows:

''SEC. 639. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated for carrying out the provisions of this subchapter $6,899,000,000 for the fiscal year 2006 and such sums as may be necessary for the fiscal years 2007 through 2011.

''(b) SPECIFIC PROGRAMS.—From the amount appropriated under subsection (a), the Secretary shall make available not more than $20,000,000 for fiscal year 2006, and such sums as may be necessary for fiscal years 2007 through 2011 to carry out such other research, demonstration, and evaluation activities, including longitudinal studies, under section 649, of which not more than $7,000,000 for each of the fiscal years 2006 through 2011 to carry out impact studies under section 649(g).''.

SEC. 6. ALLOTMENT OF FUNDS; LIMITATIONS ON ASSISTANCE.

(a) ALLOTMENTS.—Section 640(a) of the Head Start Act (42 U.S.C. 9835(a)) is amended—

(1) in paragraph (2)—

(A) by amending subparagraph (A) to read as follows:

''(A) Indian Head Start programs, services for children with disabilities, and migrant and seasonal Head Start programs, except that—

''(i) there shall be made available for each fiscal year for use by Indian Head Start programs and by migrant and seasonal Head Start programs, on a nationwide basis, not less than the amount that was obligated for use by Indian Head Start programs and by migrant and seasonal Head Start programs for fiscal year 2005;

''(ii) migrant and seasonal Head Start programs shall receive at least 5 percent of the amount appropriated for such fiscal year until such time as the Secretary can make funding decisions to ensure access to funding for eligible children of migrant and seasonal farmworkers is comparable to access to funding for other eligible children based on the data collected and reported pursuant to section 648(j), except that no future reduction in funding shall result in the termination of Head Start services provided to any eligible child 3 years of age or older who is participating in any such program on the date a reduction in funding occurs, and shall, to the extent possible, continue participation for children less than 3 years of age receiving services prior to such reduction in funding; and

''(iii) Indian Head Start programs shall receive at least 3.5 percent of the amount appropriated for such fiscal year until such time as the Secretary can make funding decisions to ensure access to funding for eligible Indian children is comparable to access to funding for other eligible children;''; and

(B) by amending subparagraph (B) to read as follows:

''(B) payments, subject to paragraph (7) to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Virgin Islands of the United States, and subject to the requirements of section 105(f)(1)(B)(ix) of Public Law 108–188 to Palau;'';

(C) by amending (C) to read as follows:

''(C) training and technical assistance activities to foster program quality and management improvement as described in section 648, in an amount for each fiscal year which is equal to 2 percent of the amount appropriated for such fiscal year, of which—

''(i) not less than 50 percent shall be made available to local Head Start agencies to make program improvements identified by such agencies and comply with the standards described in section 641A(a)(1), of which not less than 50 percent shall be used to comply with the standards described in section 641A(a)(1)(B) and for the uses described in clauses (iii), (iv), and (vii) of subsection (a)(3)(B);

''(ii) not less than 20 percent shall be made available to support a State system of early childhood education training and technical assistance, including the State Early Learning Council described in section 642B(b);

''(iii) not less than 30 percent shall be made available to the Secretary to assist local programs in meeting the standards described in section 641A(a)(1) and shall be allocated to address program weaknesses identified by monitoring activities conducted by the Secretary under section 641A(c); and

''(iv) not less than $3,000,000 of the amount in clause (iii) appropriated for such fiscal year shall be made available to carry out activities described in section 648(d)(4);''; and

(D) by striking the last sentence.

(2) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i)(I) by striking ''year 1999'' and all that follows down to the semicolon and inserting ''years 2006 through 2011''; and

(ii) by adding at the end the following:

''(iii) After the reservation of amounts under paragraph (2) and the 60 percent amount referred to in subparagraph (A) of this paragraph, a portion of the remaining funds shall be made available—

''(I) to expand services to underserved populations, such as children receiving services under Early Head Start programs and under migrant and seasonal Head Start programs; and

''(II) to increase funding to grantees with full enrollment and whose aggregate amount of financial assistance provides funding per child that is below the national average.'';

(B) by amending subparagraph (B) to read as follows:

''(B) Funds reserved under this paragraph (in this paragraph referred to as 'quality improvement funds') shall be used to accomplish the following goals:

''(i) Ensuring that Head Start programs meet or exceed standards pursuant to section 641A(a)(1).

''(ii) Ensuring that such programs have adequate numbers of qualified staff, and that such staff is furnished adequate training, including developing skills to promote the development of language skills, premathematic skills, and prereading in young children and in working with children with limited English proficiency, children referred by child welfare services, and children with disabilities, when appropriate.

''(iii) Developing and financing the salary scales described under section 644(a)(3) and section 653, in order to ensure that salary levels and benefits are adequate to attract and retain qualified staff for such programs.

''(iv) Using salary increases—

''(I) to assist with the implementation of quality programs and improve staff qualifications;

''(II) to ensure that staff can promote the language skills and literacy growth of children and can provide children with a variety of skills that have been identified, through scientifically based early reading research, as predictive of later reading achievement; and

''(III) to encourage the staff to continually improve their skills and expertise by informing the staff of the availability of Federal and State incentive and loan forgiveness programs for professional development.

''(v) Improving community-wide strategic planning and needs assessments for such programs and collaboration efforts for such programs, including collaborations to increase program participation by underserved populations of eligible children.

''(vi) Ensuring that the physical environments of Head Start programs are conducive to providing effective program services to children and families, and are accessible to children with disabilities and their parents.

''(vii) Ensuring that such programs have qualified staff that can promote language skills and literacy growth of children and that can provide children with a variety of skills that have been identified, through scientifically based reading research, as predictive of later reading achievement.

''(viii) Providing assistance to complete postsecondary course work including scholarships or other financial incentives, such as differential and merit pay, to enable Head Start teachers to improve competencies and the resulting child outcomes.

''(ix) Upgrading the qualifications and skills of educational personnel to meet the professional standards established under section 648A(a)(1), including certification and licensure as bilingual education teachers and other educational personnel who serve limited English proficient children.

''(x) Promoting the regular attendance and stability of all children participating in Head Start programs, with particular attention to highly mobile children, including children from migrant and seasonal farm worker families (if appropriate), homeless children, and children in foster care.

''(xi) Making such other improvements in the quality of such programs as the Secretary may designate.''; and

(C) by amending subparagraph (C) to read as follows:

''(C) Quality improvement funds shall be used to carry out the activities in any or all of the following clauses:

''(i)(I) Not less than one-half of the amount reserved under this paragraph, to improve the compensation (including benefits) of classroom teachers and other staff of Head Start agencies providing instructional services and thereby enhancing recruitment and retention of qualified staff, including recruitment and retention pursuant to achieving the requirements set forth in section 648A(a). The expenditure of funds under this clause shall be subject to section 653. Salary increases, in excess of cost-of-living allowance, provided with such funds shall be subject to the specific standards governing salaries and salary increases established pursuant to section 644(a).

''(II) If a Head Start agency certifies to the Secretary for such fiscal year that part of the funds set aside under subclause (I) to improve wages cannot be expended by such agency to improve wages because of the operation of section 653, then such agency may expend such part for any of the uses specified in this subparagraph (other than wages).

''(III) From the remainder of the amount reserved under this paragraph (after the Secretary carries out subclause (I)), the Secretary may carry out the activities described in clauses (ii) through (vii).

''(ii) To train classroom teachers and other staff to meet the education standards described in section 641A(a)(1)(B), through activities—

''(I) to promote children's language and prereading growth, through techniques identified through scientifically based reading research;

''(II) to promote the acquisition of the English language for limited English proficient children and families, while ensuring that children are making meaningful progress in attaining the knowledge, skills, abilities, and development described in section 641A(a)(1)(B);

''(III) to foster children's school readiness through activities described in section 648A(a)(1); and

''(IV) to provide education and training necessary to improve the qualifications of Head Start staff, particularly assistance to enable more instructors to be fully competent and to meet the degree requirements under section 648A(a)(2)(A), and to support staff training, child counseling, and other services necessary to address the challenges of children participating in Head Start programs, including children from immigrant, refugee, and asylee families, children from families in crisis, children who experience chronic violence in their communities, children who experience substance abuse in their families, and children with emotional and behavioral problems.

''(iii) To employ additional Head Start staff, including staff necessary to reduce the child-staff ratio, lead instructors who meet the qualifications of section 648A(a) and staff necessary to coordinate a Head Start program with other services available to children participating in such program and to their families.

''(iv) To pay costs incurred by Head Start agencies to purchase insurance (other than employee benefits) and thereby maintain or expand Head Start services.

''(v) To supplement amounts provided under paragraph (2)(C) to provide training necessary to improve the qualifications of the staff of the Head Start agencies, and to support staff training, child counseling, and other services necessary to address the problems of children participating in Head Start programs, including children from dysfunctional families, children who experience chronic violence in their communities, and children who experience substance abuse in their families.

''(vi) To conduct outreach to homeless families in an effort to increase the program participation of homeless children.

''(vii) To conduct outreach to migrant and seasonal farm-working families and families with children with a limited English proficiency.

''(viii) Such other activities as the Secretary may designate.'';

(3) in paragraph (4) by striking ''1998'' in subparagraph (A) and inserting ''2005'';

(4) in paragraph (5) by amending subparagraphs (A), (B), and (C) to read as follows:

''(A) From amounts reserved and allotted pursuant to paragraph (4), the Secretary shall award the collaboration grants described in subparagraphs (B) and (D).

''(B) From the reserved sums in paragraph (4), the Secretary shall award a collaboration grant to any State that submits a written request. Such grant shall be equal to the amount the State received under this paragraph for such activity for fiscal year 2005. Such grant shall be used by the State to facilitate collaboration regarding activities carried out in the State under this subchapter, and other activities carried out in and by the State that are designed to benefit low-income children and families and to encourage Head Start agencies to collaborate with entities involved in State and local planning processes (including the State lead agency administering the financial assistance under the Child Care and Development Block Grant Act of 1990 and the entities that provide child care resource and referral services in the State) in order to better meet the needs of low-income children and their families.

''(C) In order to improve results for children, a State that receives a grant under subparagraph (B) shall appoint an individual to serve as the State Director of Head Start Collaboration to be a liaison between the appropriate regional office of the Administration for Children and Families and agencies carrying out Head Start programs in the State. The State shall—

''(i) ensure that such Director holds a position with sufficient authority and access to ensure that the collaboration described in subparagraph (B) is effective and involves a range of State agencies and local entities, including—

''(I) the State educational agency;

''(II) the State Department of Health and Human Services;

''(III) the State agency that oversees child care;

''(IV) the State agency that assists children with developmental disabilities;

''(V) the State Head Start Association;

''(VI) the State network of child care resource and referral agencies;

''(VII) local educational agencies;

''(VIII) community-based and faith-based organizations;

''(IX) representatives of migrant and seasonal Head Start programs located in the State;

''(X) representatives of Indian Head Start programs located in the State;

''(XI) State and local providers of early childhood education and child care, including providers with experience serving children with limited English proficiency; and

''(XII) other entities carrying out programs serving low-income children and families in the State;

''(ii) involve the entities described in clause (i) to develop a strategic plan for the coordinated outreach to identify eligible children and to implement strategies based on a needs assessment, which shall include an assessment of the availability of high quality prekindergarten services for low-income children in the State. Such assessment shall be completed not later than 1 year after the date of enactment of the School Readiness Act of 2005 and be updated on an annual basis and shall be made available to the general public within the State;

''(iii) ensure that the collaboration described in subparagraph (B) involves coordination of Head Start services with health care, welfare, child care, child protective services, education, and community service activities, family literacy services, activities relating to children with disabilities (including coordination of services with those State officials who are responsible for administering part C and section 619 of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.)), and services for homeless children (including coordination of services with the Office of Coordinator for Education of

Homeless Children and Youth designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act of 2001 (42 U.S.C. 11432(g)(1)(J)(ii));

''(iv) require the State Director of Head Start Collaboration to—

''(I) serve on the Early Learning Council pursuant to section 642B(b);

''(II) consult with the Early Learning Council, chief State school officer, local educational agencies, representatives of local Head Start agencies and providers of early childhood education and care in unified planning regarding early care and education services at both the State and local levels, including collaborative efforts to develop school readiness standards;

''(III) consult with the chief State school officer, local educational agencies, State child care administrators, State human services administrators, representatives of local child care resource and referral agencies, local early childhood councils, providers of early childhood education and care, and other relevant State and local agencies, and representatives of the State Head Start Association to plan for the provision of full-working-day, full-calendar-year early care and education services for eligible children with working parents who have a demonstrated need;

''(IV) consult with the chief State school officer, local educational agencies and Head Start agencies to improve alignment between Head Start programs and State-funded prekindergarten activities to meet shared goals of school readiness; and

''(V) establish improved linkages between Head Start agencies and other children and family agencies, including agencies that provide health, mental health or family services or other child and family support services.'';

(C) in subparagraph (D)(i) by inserting ''and providers of services supporting early childhood education and child care'' after ''Associations''; and

(D) by amending paragraph (6)(A) to read as follows:

''(A) From amounts reserved and allotted pursuant to paragraphs (2) and (4), the Secretary shall use, for grants for programs described in section 645A(a) of this subchapter, a portion of the combined total of such amounts equal to at least 10 percent for each of the fiscal years 2006 through 2011, of the amount appropriated pursuant to section 639(a), except as provided in subparagraph (B).''.

(b) SERVICE DELIVERY MODELS.—Section 640(f) of the Head Start Act (42 U.S.C. 9835(f)) is amended by inserting before the period at the end the following: '', including models that leverage the existing capacity and capabilities of the delivery system of early childhood education and child care''.

(c) MAINTENANCE OF SERVICE LEVELS.—Section 640(g)(2) of the Head Start Act (42 U.S.C. 9835(g)(2)) is amended—

(1) by striking ''For the purpose of expanding Head Start programs, in'' and inserting ''In'';

(2) by amending subparagraph (C) to read as follows:

''(C) the extent to which the applicant has undertaken community-wide strategic planning and needs assessments involving other community organizations and Federal, State, and local public agencies serving children and families (including organizations and agencies providing family support services and protective services to children and families and organizations serving families in whose homes English is not the language customarily spoken), and individuals, organizations, and public entities serving children with disabilities and homeless children including the local educational agency liaison designated under section 722(g)(1)(J)(ii) of the McKinney-Veto Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii));'';

(3) in subparagraph (D) by striking ''other local'' and inserting ''the State and local'';

(4) in subparagraph (E) by inserting ''would like to participate but'' after ''community who'';

(5) in subparagraph (G)—

(A) by inserting ''leverage the existing delivery systems of such services and'' after ''manner that will''; and

(B) by striking ''and'' at the end;

(6) in subparagraph (H)—

(A) by inserting '', including the local educational agency liaison designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)),'' after ''community involved'';

(B) by striking ''plans to coordinate'' and inserting ''successfully coordinated its activities''; and

(C) by striking the period at the end and inserting ''; and''; and

(7) by adding at the end the following:

''(I) the amount of funds used by such agency to pay administrative expenses and the amount of available funds received by such agency under this section to serve each enrolled child.''.

(d) VEHICLE SAFETY REQUIREMENTS.—Section 640(i) of the Head Start Act (42 U.S.C. 9835(i)) is amended—

(1) by striking ''(i) The'' and inserting the following:

''(i) TRANSPORTATION SAFETY.—

''(1) REGULATIONS.—The''; and

(2) by adding at the end the following:

''(2) WAIVER AUTHORITY.—

''(A) IN GENERAL.—The Secretary may waive for a period of up to one year the requirements of regulations promulgated under paragraph (1) for one or more vehicles used by the agency or its designee in transporting children enrolled in a Head Start program or an Early Head Start program if—

''(i) such requirements pertain to child restraint systems and bus monitors;

''(ii) the agency demonstrates that compliance with such requirements will result in a significant disruption to the Head Start program or the Early Head Start program; and

''(iii) is in the best interest of the child.

''(B) RENEWAL.—The Secretary may renew a waiver under subparagraph (A).''.

(e) MIGRANT AND SEASONAL HEAD START PROGRAMS.—Section 640(l) of the Head Start Act (42 U.S.C. 9835(l)) is amended—

(1) by amending paragraph (3) to read as follows:

''(3) In carrying out this subchapter, the Secretary shall continue the administrative arrangement at the national level for meeting the needs of Indian children and children of migrant and seasonal farmworkers and shall ensure that appropriate funding is provided to meet such needs, including training and technical assistance and the appointment of a national migrant and seasonal Head Start collaboration director and a national Indian Head Start collaboration director.''; and

(2) by adding at the end the following:

''(4)(A) For the purposes of paragraph (3), the Secretary shall conduct an annual consultation in each affected Head Start region, with tribal governments operating Head Start programs and Early Head Start programs.

''(B) The consultations shall be for the purpose of better meeting the needs of American Indian and Alaska Native children and families pertinent to subsections (a), (b), and (c) of section 641, taking into consideration funding allocations, distribution formulas, and other issues affecting the delivery of Head Start services within tribal communities.

''(C) The Secretary shall publish a notification of the consultations in the Federal Register prior to conducting the consultations.

''(D) A detailed report of each consultation shall be prepared and made available, on a timely basis, to all tribal governments receiving funds under this subchapter.''.

(f) ENROLLMENT OF HOMELESS CHILDREN.—Section 640 of the Head Start Act (42 U.S.C. 9835) is amended by adding at the end the following:

''(m) ENROLLMENT OF HOMELESS CHILDREN.—The Secretary shall by regulation prescribe policies and procedures to remove barriers to the enrollment and participation of homeless children in Head Start programs. Such regulations shall require Head Start agencies—

''(1) to implement policies and procedures to ensure that homeless children are identified and prioritized for enrollment;

''(2) to allow homeless families to apply to, enroll in and attend Head Start programs while required documents, such as proof of residency, immunization and other medical records, birth certificates and other documents, are obtained within a reasonable time frame; and

''(3) coordinate individual Head Start centers and programs with efforts to implement subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431–11435).

''(n) RULE OF CONSTRUCTION.—Nothing in this subchapter shall be construed to require a State to establish a program of early education for children in the State, to require any child to participate in a program of early education, to attend school, or to participate in any initial screening prior to participation in such program, except as provided under section 612(a)(3), (consistent with section 614(a)(1)(C)), of the Individuals with Disabilities Education Act.

''(o) MATERIALS.—All curricula and instructional materials funded under this subchapter shall be scientifically based and age appropriate. Parents shall have the ability to inspect, upon request, any curricula or instructional materials.''.

SEC. 7. DESIGNATION OF AGENCIES.

(a) AUTHORITY TO DESIGNATE.— Section 641(a) of the Head Start Act (42 U.S.C. 9836(a)) is amended to read as follows:

''(a) AUTHORITY TO DESIGNATE.—

''(1) IN GENERAL.—The Secretary is authorized to designate as a Head Start agency any local public or private nonprofit or for-profit agency within a State, including a community-based or faith-based organization that—

''(A) has power and authority to carry out the purpose of this subchapter and perform the functions set forth in section 642 within a State; and

''(B) is determined to be capable of planning, conducting, administering, and evaluating, either directly or by other arrangements, a Head Start program.

''(2) DESIGNATION REQUIREMENTS.—To be designated as a Head Start agency and to receive financial assistance under this subparagraph, an entity described in sub paragraph (1) shall—

''(A) establish measurable objectives for—

''(i) the school readiness of children participating in the program under this subchapter;

''(ii) meeting the performance standards described in section 641A;

''(iii) educational instruction in prereading, premathematics, and language skills; and

''(iv) the provision of health, educational, nutritional, social and other services related to school readiness; and

''(B) align curricula to challenging State developed academic content standards and the Head Start Child Outcomes Framework developed by the Secretary.

''(3) ELIGIBILITY FOR SUBSEQUENT FINANCIAL ASSISTANCE.—In order to receive financial assistance under this subchapter subsequent to the initial financial assistance provided following the effective date of this subsection, an entity described in paragraph (1) shall demonstrate that the entity has met the measurable objectives described in paragraph (2);

''(4) MEASURING PROGRESS.—Progress in meeting such measurable objectives shall not be measured primarily or solely by the results of assessments.''

(b) PRIORITY IN DESIGNATION.—Section 641(c) of the Head Start Act (42 U.S.C. 9836(c)) is amended to read as follows:

''(c) CONSULTATION.—In the administration of this section, the Secretary shall, in consultation with the chief executive officer of the State involved, give priority in the designation of Head Start agencies to Head Start agencies that—

''(1) are receiving assistance under this subchapter on the effective date of this subsection;

''(2) meet or exceed program and financial management requirements, standards described in section 641A(a);

''(3) meet or exceed the education standards and requirements described in section 641A(a)(1)(B);

''(4) have no unresolved area of noncompliance;

''(5) have not been deemed deficient since the then most recent designation;

''(6) employ qualified staff (including in center-based programs, a teaching staff of whom at least 50 percent have an associate, baccalaureate, or advanced degree in early child education or a related field), except that the Secretary may waive the application of this paragraph, for a period not to exceed 3 years, for Head Start programs operating in rural areas, for migrant and seasonal Head Start programs, and for Indian Head Start programs, on a case-by-case basis, if the program demonstrates progress in increasing the qualifications of teaching staff and demonstrates adequate instructional supervision by qualified staff;

''(7) were not deemed by the Secretary as chronically under-enrolled since the then most recent designation;

''(8) utilize curricula based on scientifically based research, that are aligned with challenging State developed academic content standards and the Head Start Child Outcomes Framework developed by the Secretary;

''(9) demonstrate active partnerships with local educational agencies serving the same communities to facilitate smooth transitions to kindergarten;

''(10) actively implement a memorandum of understanding described in section 642B(a) and additional collaborative partnerships with organizations that enhance the delivery of services to children;

''(11) demonstrate success in improving child outcomes across all domains of development, including measurable progress in language skills, prereading knowledge, and premathematics knowledge;

''(12) maintain classroom environments constructive to early learning and future school success;

''(13) demonstrate strong parental involvement and activities to develop parent skills to support their children's educational development and ability to participate effectively in decisions relating to the education of their children;

''(14) are overseen by a board described in section 642(b) that provides direction and actively oversees all program activities;

''(15) document strong fiscal controls, including—

''(A) the employment of well-qualified fiscal staff with a history of successful management of a public or private organization;

''(B) having no reportable material weaknesses with applicable laws and regulations on all annual financial audits performed since the most recent designation;

''(C) meeting or exceeding annual requirements for financial support under section 640(b); and

''(D) maintaining total administrative costs at or below 15 percent of total program costs;

''(16) are licensed to operate in accordance with all applicable State child care regulations;

''(17) conduct outreach activities to ensure that services are provided to the most at-risk families in the community;

''(18) have developed strong community partnerships with public and private organizations, such as businesses, health, and social service providers; and

''(19) provide opportunities for ongoing professional development.''.

(c) DESIGNATION WHEN NO ENTITY HAS PRIORITY.—Section 641(d) of the Head Start Act (43 U.S.C. 9836(d)) is amended to read as follows:

''(d) DESIGNATION WHEN NO ENTITY HAS PRIORITY.—

''(1) IN GENERAL.—If no entity in a community is entitled to the priority specified in subsection (c), the Secretary shall, after conducting an open competition, designate for a 5-year period a Head Start agency from among qualified applicants in such community.

''(2) CONSIDERATIONS IN DESIGNATION.—In selecting from among qualified applicants for designation as a Head Start agency, the Secretary shall consider the effectiveness of each such applicant to provide Head Start services, based on—

''(A) any past performance of such applicant in providing services comparable to Head Start services, including how effectively such applicant provided such comparable services;

''(B) the plan of such applicant to provide comprehensive health (including mental and behavioral health), educational, nutritional, social, and other services needed to prepare children to succeed in school;

''(C) the capacity of such applicant to serve eligible children with curriculum and teaching practices based on scientifically based research that promote the school readiness of children participating in the program;

''(D) the plan of such applicant to meet standards set forth in section 641A(a)(1), with particular attention to the standards set forth in subparagraphs (A) and (B) of such section;

''(E) the proposed budget and plan of such applicant to maintain strong fiscal controls and cost effective fiscal management;

''(F) the plan of such applicant to coordinate the Head Start program the applicant proposes to carry out with other educational programs for young children, including—

''(i) the Early Reading First and Even Start programs under subparts 2 and 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6371 et seq., 6381 et seq.);

''(ii) programs under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.);

''(iii) State prekindergarten programs;

''(iv) child care programs;

''(v) the educational programs that the children participating in the Head Start program involved will enter at the age of compulsory school attendance; and

''(vi) reading readiness programs such as those conducted by public and school libraries;

''(G) the plan of such applicant to coordinate the Head Start program that the applicant proposes to carry out, with public and private entities that are willing to commit resources to assist the Head Start program in meeting its program needs;

''(H) the plan of such applicant—

''(i) to seek the involvement of parents (including grandparents and kinship caregivers, as appropriate) of children participating in the proposed Head Start program, in activities (at home and, if practicable, at the location of the Head Start program) designed to help such parents become full partners in the education of their children;

''(ii) to afford such parents the opportunity to participate in the development and overall conduct of the program at the local level;

''(iii) to offer (directly or through referral to local entities, such as entities carrying out Even Start programs under subpart 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6381 et seq.), public and school libraries, and entities carrying out family support programs) to such parents—

''(I) family literacy services; and

''(II) parenting skills training;

''(iv) to offer to parents of participating children, substance abuse counseling (either directly or through referral to local entities), including information on the effect of drug exposure on infants and fetal alcohol syndrome;

''(v) at the option of such applicant, to offer (directly or through referral to local entities) to such parents—

''(I) training in basic child development (including cognitive development);

''(II) assistance in developing literacy and communication skills;

''(III) opportunities to share experiences with other parents (including parent mentor relationships);

''(IV) regular in-home visitation;

''(V) mental and behavioral health services; or

''(VI) any other activity designed to help such parents become full partners in the education of their children;

''(vi) to provide, with respect to each participating family, a family needs assessment that includes consultation with such parents about the benefits of parent involvement and about the activities described in subparagraph (H) in which such parents may choose to become involved (taking into consideration their specific family needs, work schedules, and other responsibilities); and

''(vii) to extend outreach to fathers, in appropriate cases, in order to strengthen the role of fathers in families, in the education of their young children, and in the Head Start program, by working directly with fathers and father figures through activities such as—

''(I) in appropriate cases, including fathers in home visits and providing opportunities for direct father-child interactions; and

''(II) targeting increased male participation in the conduct of the program;

''(I) the ability of such applicant to carry out the plans described in paragraphs (2), (4), and (5);

''(J) the plan of such applicant to meet the needs of limited English proficient children and their families, including procedures to identify such children, plans to provide trained personnel, and plans to provide services to assist the children in making progress toward the acquisition of the English language, while making meaningful progress in attaining the knowledge, skills, abilities, and development described in section 641A(a)(1)(B);

''(K) the plan of such applicant to meet the diverse cultural needs of the population served;

''(L) the plan of such applicant to meet the needs of children with disabilities;

''(M) the plan of such applicant who chooses to assist younger siblings of children who will participate in the Head Start program, to obtain health services from other sources;

''(N) the plan of such applicant to collaborate with other entities carrying out early childhood education and child care programs in the community;

''(O) the plan of such applicant to meet the needs of homeless children, including transportation needs, and children in foster care;

''(P) the plan of such applicant to maintain a qualified staff, including a teaching staff qualified to implement research-based educational curricula aligned with challenging State-developed academic content standards, the Head Start Child Outcomes Framework developed by the Secretary, and the State early learning standards in States in which such standards are developed;

''(Q) the plan of such applicant to enter into memoranda of understanding with local educational agencies, child care providers, and other entities within the service area; and

''(R) other factors related to the requirements of this subchapter.''.

(d) SELECTION OF APPLICANTS.—Section 641(g) of the Head Start Act (43 U.S.C. 9836(g)) is amended to read as follows:

''(g) ISSUANCE OF RULES.—Not later than 180 days after the enactment of the School Readiness Act of 2005, the Secretary shall issue rules to carry out this section.''.

SEC. 8. QUALITY STANDARDS; MONITORING OF HEAD START AGENCIES AND PROGRAMS.

(a) QUALITY STANDARDS.—Section 641A(a) of the Head Start Act (42 U.S.C. 9836a(a)) is amended—

(1) by amending paragraph (1)(B)—

(A) in clause (i)—

(i) by inserting ''based on sound scientific evidence'' after ''standards''; and

(ii) by inserting ''and sustained academic gains'' after ''readiness''; and

(B) by amending clause (ii) to read as follows:

''(ii) additional scientifically-based education standards to ensure that the children participating in the program, at a minimum develop and demonstrate—

''(I) language knowledge and skills, including oral language and listening comprehension;

''(II) prereading knowledge and skills that prepare children for early literacy in schools, including phonological awareness, print awareness and print skills, and alphabetic knowledge;

''(III) premathematics knowledge and skills, including aspects of classification, seriation, number, spatial relations, and time;

''(IV) cognitive abilities related to academic achievement and child development;

''(V) social and emotional development related to early learning, school success, and sustained academic gains; and

''(VI) in the case of limited-English proficient children, progress toward acquisition of the English language while making meaningful progress in attaining the knowledge, skills, abilities, and development described in subclauses (I) through (IV);'';

(2) in paragraph (2)—

(A) by amending subparagraph (B) to read as follows:

''(B) take into consideration—

''(i) past experience with use of the standards in effect under this subchapter on October 27, 1998;

''(ii) changes over the period since October 27, 1998, in the circumstances and problems typically facing children and families served by Head Start agencies;

''(iii) developments concerning research based practices with respect to early childhood education and development, children with disabilities, family services, program administration, and financial management;

''(iv) projected needs of an expanding Head Start program;

''(v) guidelines and standards currently in effect or under consideration that promote child health services and physical development, including outdoor activity that supports children's motor development and overall health and nutrition;

''(vi) changes in the population of children who are eligible to participate in Head Start programs, including the language background and family structure of such children;

''(vii) scientifically based research to ensure that children participating in Head Start programs make a successful transition to schools that the children will be attending; and

''(viii) the unique challenges faced by individual programs, including those that are seasonal or short term, and those that serve rural populations; and''; and

(B) in subparagraph (C)(ii) by striking ''the date'' and all that follows through ''Act of 1998'', and inserting ''October 27, 1998''; and

(3) by adding at the end the following:

''(4) EVALUATIONS AND CORRECTIVE ACTIONS FOR DELEGATE AGENCIES.—

''(A) PROCEDURES.—The Head Start agency shall establish procedures relating to its delegate agencies, including—

''(i) procedures for evaluating delegate agencies;

''(ii) procedures for defunding delegate agencies; and

''(iii) procedures for appealing a defunding decision relating to a delegate agency.

''(B) EVALUATIONS.—Each Head Start agency—

''(i) shall evaluate its delegate agencies using the procedures established pursuant to this section, including subparagraph (A); and

''(ii) shall inform the delegate agencies of the deficiencies identified through the evaluation that shall be corrected.

''(C) REMEDIES TO ENSURE CORRECTIVE ACTIONS.—If the Head Start agency identifies a deficiency for a delegate agency through the evaluation, the Head Start agency may—

''(i) initiate procedures to terminate the designation of the agency unless the agency corrects the deficiency;

''(ii) conduct monthly monitoring visits to such delegate agency until all deficiencies are corrected or the Head Start agency decides to defund such delegate agency; and

''(iii) release funds to such delegate agency only as reimbursements until all deficiencies are corrected or the Head Start agency decides to defund such delegate agency.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to impact or obviate the responsibilities of the Secretary with respect to Head Start agencies or delegate agencies receiving funding under this subchapter.''.

(b) RESULTS-BASED PERFORMANCE MEASURES.—Section 641A(b) of the Head Start Act (42 U.S.C. 9836a(b)) is amended—

(1) by amending paragraph (2) to read as follows:

''(2) CHARACTERISTICS OF MEASURES.—The performance measures developed under this subsection shall—

''(A) be used to assess the impact of the various services provided by Head Start programs and, to the extent the Secretary finds appropriate, administrative and financial management practices of such programs;

''(B) be adaptable for use in self-assessment, peer review, and program evaluation of individual Head Start agencies and programs;

''(C) be developed for other program purposes as determined by the Secretary;

''(D) be appropriate for the population served; and

''(E) be reviewed no less than every 4 years, based on advances in the science of early childhood development.

The performance measures shall include the performance standards described in subparagraphs (A) and (B) of subsection (a)(1).'';

(2) by amending paragraph (3) to read as follows:

''(3) USE OF MEASURES.—

''(A) The Secretary shall use the performance measures pursuant to this subsection to identify—

''(i) strengths and weaknesses in the operation of Head Start programs nationally, regionally, and locally; and

''(ii) program areas that may require additional training and technical assistance resources.

''(B) The Secretary shall provide a detailed justification to the Congress regarding the planned uses of the data collected by the National Reporting System developed by the Secretary and shall demonstrate its scientific validity and reliability for such purposes, including its scientific validity and reliability with children with limited English proficiency for such purposes;

''(C) The Secretary shall not use the National Reporting System assessment results either as the primary method for assessing program effectiveness or as the primary method for making grantee funding determinations.

''(D) The Secretary shall develop a process to ensure that the National Reporting System shall not be used to exclude children from Head Start programs.''; and

(3) by amending paragraph (4) to read as follows:

''(4) EDUCATIONAL MEASURES.—Results based measures shall be designed for the purpose of promoting the competencies of children participating in Head Start programs specified in subsection (a)(1)(B)(ii), with an emphasis on measuring those competencies that have a strong scientifically-based predictability of a child's school readiness and later performance in school.''.

(c) MONITORING OF LOCAL AGENCIES AND PROGRAMS.—Section 641A(c) of the Head Start Act (42 U.S.C. 9836a(c)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A) by inserting ''develop and utilize a risk-based assessment system to'' after ''shall'';

(B) by amending subparagraph (C) to read as follows:

''(C) Followup reviews, including unannounced reviews as appropriate, of programs with 1 or more findings of deficiencies not later than 6 months after the date of such finding.''; and

(C) by amending subparagraph (D) to read as follows:

''(D) Unannounced site inspections of Head Start centers and other reviews, as appropriate.'';

(2) by amending paragraph (2) to read as follows:

''(2) CONDUCT OF REVIEWS.—The Secretary shall ensure that reviews described in subparagraphs (A) through (C) of paragraph (1)—

''(A) that incorporate a monitoring visit, may be done without prior notice of the visit to the local agency or program;

''(B) are conducted by review teams composed of individuals who are knowledgeable about the program areas they are reviewing and, to the maximum extent practicable, the diverse (including linguistic and cultural) needs of eligible children (including children with disabilities) and limited-English proficient children and their families;

''(C) include as part of the reviews of the programs, a review and assessment of program effectiveness, including strengths and areas for improvement, as measured in accordance with the results-based performance measures developed by the Secretary pursuant to subsection (b) and with the standards established pursuant to subparagraphs (A) and (B) of subsection (a)(1);

''(D) seek information from the communities and the States involved about the performance of the programs and the efforts of the Head Start agencies to collaborate with other entities carrying out early childhood education and child care programs in the community;

''(E) seek information from the communities where Head Start programs exist about innovative or effective collaborative efforts, barriers to collaboration, and the efforts of the Head Start agencies and programs to collaborate with the entities carrying out early childhood education and child care programs in the community;

''(F) include as part of the reviews of the programs, a review and assessment of whether a program is in conformity with the income eligibility requirements, as defined in section 645 and regulations promulgated thereunder;

''(G) include as part of the reviews of the programs, a review and assessment of whether programs have adequately addressed the population and community needs (including populations of children with a limited English proficiency and children of migrant and seasonal farm-working families);

''(H) include as part of the review the extent to which the program addresses the community needs and strategic plan identified in section 640(g)(2)(C); and

''(I) are conducted in a manner that evaluates program performance, quality, and overall operations with consistency and objectivity, and based on a transparent and reliable system of review.''.

(d) CORRECTIVE ACTION; TERMINATION.—Section 641A(d) of the Head Start Act (42 U.S.C. 9836a(d)) is amended—

(1) in paragraph (1) by amending the matter preceding subparagraph (A) to read as follows:

''(1) DETERMINATION.—If the Secretary determines, on the basis of a review pursuant to subsection (c), that a Head Start agency designated pursuant to section 641 fails to meet the standards described in subsection (a) or results-based

performance measures developed by the Secretary under subsection (b), or fails to adequately address the community needs and strategic plan identified in 640(g)(2)(C), the Secretary shall—'';

(2) by amending paragraph (2) to read as follows:

''(2) QUALITY IMPROVEMENT PLAN.—

''(A) AGENCY AND PROGRAM RESPONSIBILITIES.—In order to retain a designation as a Head Start agency under this subchapter, or in the case of a Head Start program, in order to continue to receive funds from such agency, a Head Start agency, or Head Start program that is the subject of a determination described in paragraph (1) (other than an agency or program required to correct a deficiency immediately or during a 90-day period under clause (i) or (ii) of paragraph (1)(B)) shall—

''(i) develop in a timely manner, a quality improvement plan that shall be subject to the approval of the Secretary, or in the case of a program, the sponsoring agency, and which shall specify—

''(I) the deficiencies to be corrected;

''(II) the actions to be taken to correct such deficiencies; and

''(III) the timetable for accomplishment of the corrective actions specified; and

''(ii) eliminate each deficiency identified, not later than the date for elimination of such deficiency specified in such plan (which shall not be later than 1 year after the date the agency or program received notice of the determination and of the specific deficiency to be corrected).

''(B) SECRETARIAL RESPONSIBILITY.—Not later than 30 days after receiving from a Head Start agency a proposed quality improvement plan pursuant to subparagraph (A), the Secretary shall either approve such proposed plan or specify the reasons why the proposed plan cannot be approved.

''(C) AGENCY RESPONSIBILITY FOR PROGRAM IMPROVEMENT.—Not later than 30 days after receiving from a Head Start program, a proposed quality improvement plan pursuant to subparagraph (A), the sponsoring agency shall either approve such proposed plan or specify the reasons why the proposed plan cannot be approved.''; and

(3) in paragraph (3) by inserting ''and programs'' after ''agencies'';

(4) by amending subsection (e) to read as follows:

''(e) SUMMARIES OF MONITORING OUTCOMES.—Not later than 120 days after the end of each fiscal year, the Secretary shall publish a summary report on the findings of reviews conducted under subsection (c) and on the outcomes of quality improvement plans implemented under subsection (d), during such fiscal year. Such information shall be made available to all parents with children receiving assistance under this subchapter in an understandable and uniform format, and to the extent practicable, provided in a language that the parents can understand, and in addition, make the information widely available through public means such as distribution through public agencies, and at a minimum posting such information on the Internet immediately upon publication.''; and

(5) by adding at the end the following:

''(f) REDUCTION OF GRANTS AND REDISTRIBUTION OF FUNDS IN CASES OF UNDER-ENROLLMENT.—

''(1) DEFINITIONS.—In this subsection:

''(A) ACTUAL ENROLLMENT.—The term 'actual enrollment' means, with respect to the program of a Head Start agency, the actual number of children enrolled in such program and reported by the agency (as required in paragraph (2)) in a given month.

''(B) BASE GRANT.—The term 'base grant' means, with respect to a Head Start agency for a fiscal year, that portion of the grant derived—

''(i) from amounts reserved for use in accordance with section 640(a)(2)(A), for a Head Start agency administering an Indian Head Start program or migrant and seasonal Head Start program;

''(ii) from amounts reserved for payments under section 640(a)(2)(B); or

''(iii) from amounts available under section 640(a)(2)(D) or allotted among States under section 640(a)(4).

''(C) FUNDED ENROLLMENT.—The term 'funded enrollment' means, with respect to the program of a Head Start agency in a fiscal year, the number of children that the agency is funded to serve through a grant for the program during such fiscal year, as indicated in the grant agreement.

''(2) ENROLLMENT REPORTING REQUIREMENT FOR CURRENT FISCAL YEAR.—Each entity carrying out a Head Start program shall report on a monthly basis to the Secretary and the relevant Head Start agency—

''(A) the actual enrollment in such program; and

''(B) if such actual enrollment is less than the funded enrollment, any apparent reason for such enrollment shortfall.

''(3) SECRETARIAL REVIEW AND PLAN.—The Secretary shall—

''(A) on a semiannual basis, determine which Head Start agencies are operating with an actual enrollment that is less than the funded enrollment based on not less than the average of 4 consecutive months of data;

''(B) for each such Head Start agency operating a program with an actual enrollment that is less than 95 percent of its funded enrollment, as determined under subparagraph (A), develop, in collaboration with such agency, a plan and timetable for reducing or eliminating under-enrollment taking into consideration—

''(i) the quality and extent of the outreach, recruitment, and community needs assessment conducted by such agency;

''(ii) changing demographics, mobility of populations, and the identification of new underserved low-income populations;

''(iii) facilities-related issues that may impact enrollment;

''(iv) the ability to provide full-day programs, where needed, through Head Start funds or through collaboration with entities carrying out other preschool or child care programs, or programs with other funding sources (where available);

''(v) the availability and use by families of other preschool and child care options (including parental care) in the local catchment area; and

''(vi) agency management procedures that may impact enrollment; and

''(C) provide timely and ongoing technical assistance to each agency described in subparagraph (B) for the purpose of implementing the plan described in such subparagraph.

''(4) IMPLEMENTATION.—Upon receipt of the technical assistance described in paragraph (3)(C), a Head Start agency shall immediately implement the plan described in paragraph (3)(B).

''(5) SECRETARIAL ACTION FOR CONVERSION TO SERVE YOUNGER CHILDREN.—If, after implementing the plan described in paragraph (3)(B), the grantee continues to operate a program at less than full enrollment, the grantee may, upon approval by the Secretary, be permitted to use a portion of the base grant equal to the percentage difference between funded enrollment and actual enrollment for the most then recent year, to serve persons described in section 645A(c) if such agency currently operates a grant described in section 645A and submits an application containing—

''(A) evidence of community need for such services;

''(B) a description of how the needs of pregnant women, infants, and toddlers will be addressed in accordance with section 645A(b) and with regulations prescribed by the Secretary pursuant to section 641A in areas including—

''(i) the approach to childhood development and health services; and

''(ii) the approach to family and community partnerships; and approach to program design and management;

''(C) assurances that the agency will participate in technical assistance activities for newly funded and existing grantees under section 654A; and

''(D) evidence that the agency meets the eligibility criteria as grantees under section 645A.

Any grantee permitted to serve children under this paragraph shall be subject to the rules, regulations, and conditions under section 645A.

''(6) SECRETARIAL ACTION FOR CONTINUED UNDER-ENROLLMENT.—If, 1 year after the date of implementation of the plan described in paragraph (3)(B), the Head Start agency continues to operate a program at less than full enrollment, the Secretary shall, where determined appropriate, continue to provide technical assistance to such agency.

''(7) SECRETARIAL REVIEW AND ADJUSTMENT FOR CHRONIC UNDER-ENROLLMENT.—

''(A) IN GENERAL.—If, after receiving technical assistance and developing and implementing a plan to the extent described in paragraphs (3), (4), and (5) for 6 months, a Head Start agency is still operating a program with an actual enrollment that is less than 95 percent of its funded enrollment, the Secretary may—

''(i) designate such agency as chronically under-enrolled; and

''(ii) recapture, withhold, or reduce the base grant for the program by, a percentage equal to the percentage difference between funded enrollment and actual enrollment for the program for the most recent year in which the agency is determined to be under-enrolled under paragraph (2)(B).

''(B) WAIVER OR LIMITATION OF REDUCTIONS.—If the Secretary, after the implementation of the plan described in paragraph (3)(B), finds that—

''(i) the shortfall can reasonably be expected to be temporary; or

''(ii) the number of slots allotted to the agency is small enough that under-enrollment does not constitute a significant shortfall,

the Secretary may, as appropriate, waive or reduce the percentage recapturing, withholding, or reduction otherwise required by subparagraph (A).

''(C) PROCEDURAL REQUIREMENTS; EFFECTIVE DATE.—The actions taken by the Secretary under this paragraph with respect to a Head Start agency shall take effect 1 day after the date on which—

''(i) the time allowed for appeal under section 646(a) expires without an appeal by the agency; or

''(ii) the action is upheld in an administrative hearing under section 646.

''(8) REDISTRIBUTION OF FUNDS.—

''(A) IN GENERAL.—Funds held by the Secretary as a result of recapturing, withholding, or reducing a base grant in accordance with paragraph (6) in a fiscal year shall be redistributed in such fiscal year as follows:

''(i) If such funds are attributable to the portion of a base grant derived from amounts specified in paragraph (1)(B)(i) payable, but for the operation of this paragraph, to carry out an Indian Head Start program, then such funds shall be redistributed to increase enrollment in such fiscal year in 1 or more Indian Head Start programs.

''(ii) If such funds are attributable to the portion of a base grant derived from amounts specified in paragraph (1)(B)(i) payable, but for the operation of this paragraph, to carry out a migrant and seasonal Head Start program, then such funds shall be redistributed to increase enrollment in such fiscal year in 1 or more migrant and seasonal Head Start programs.

''(iii) If such funds are attributable to the portion of a base grant derived from amounts specified in clause (ii) or (iii) of paragraph (1)(B) payable, but for the operation of this paragraph, to carry out a Head Start program (excluding Indian Head Start programs, and migrant and seasonal Head Start programs) in a

State, then such funds shall be redistributed to increase enrollment in such fiscal year in 1 or more—

''(I) other Head Start programs (excluding Indian Head Start programs and migrant and seasonal Head Start programs) that are carried out in such State; or

''(II) if the Secretary determines that children eligible under section 641 are being adequately served within such State, 1 or more Early Head Start programs (excluding Indian Head Start programs and migrant and seasonal Head Start programs) or 1 or more Head Start programs for the purpose of becoming a grantee pursuant to section 645A.

''(B) ADJUSTMENT TO FUNDED ENROLLMENT.—The Secretary shall adjust as necessary the requirements relating to funded enrollment indicated in the grant agreement of a Head Start agency receiving funds redistributed under this paragraph.''.

SEC. 9. POWERS AND FUNCTIONS OF HEAD START AGENCIES.

(a) QUALIFICATIONS FOR DESIGNATION.—Section 642(b) of the Head Start Act (42 U.S.C. 9837(b)) is amended to read as follows:

''(b) In order to be so designated, a Head Start agency shall do all of the following:—

''(1) Establish a program with standards set forth in section 641A(a)(1), with particular attention to the standards set forth in subparagraphs (A) and (B) of such section.

''(2) Demonstrate capacity to serve eligible children with scientifically-based curricula and other interventions that help promote the school readiness of children participating in the program.

''(3) Establish effective procedures by which parents and area residents concerned will be enabled to directly participate in decisions that influence the character of programs affecting their interests.

''(4) Establish an independent board of directors selected from among eligible individuals who shall serve on the board (or may designate an existing entity whose members are eligible individuals, that shall be such board) for a period not to exceed 5 years, except that board members who oversee a public entity and who are selected by election (or members of a board of a local educational agency or a local council, appointed by an elected official or an official of a general purpose local government), may serve for such period as may be determined by the electing or appointing authority, as the case may be. An individual who has a conflict of interest is ineligible to serve as a member of the board. Members of the board of all nonpublic entities shall include representatives of the local community (including at least 1 member with significant financial management or accounting experience and the chair of the council described in section 642(b)(4)(B)(ii)). Additional members shall be selected for their expertise in education, business administration, community affairs, government, legal affairs, and such other areas of expertise as may contribute to effective governance of the Head Start agency. All members of the board shall receive training in the management responsibilities and obligations, ethics, and financial literacy and management, and shall adopt practices that assure active, independent and informed governance of the Head Start agency, including independent oversight of the financial and management practices of such agency. The board shall provide direction to the executive director of the Head Start agency and shall operate as an entity independent of staff employed by the Head start agency, entity, or applicant and have the following duties and responsibilities:

''(A) To provide independent oversight to ensure that the Head Start agency under the direction of the executive director is delivering high quality services to children and families in compliance with all applicable standards in effect under this subchapter and with the applicable performance measures established by the Secretary under section 644.

''(B) To establish 2 or more standing committees to facilitate governance of the Head Start agency which shall include both of the following:

''(i) An audit and finance committee whose primary responsibility shall be—

''(I) to approve annually the operating budget of the Head Start agency;

''(II) to review and recommend to the board the selection of independent auditors who shall report all critical accounting policies and practices to the finance and audit committee;

''(III) to review and recommend to the board the termination or extension of the existing audit firm at least once every 5 years;

''(IV) to review and advise the board of the audit management letter provided pursuant to the chapter 75 of title 31 of the United States Code, and of any audit findings; and

''(V) to monitor agency actions to correct any such audit findings or other actions necessary to comply with applicable laws (including regulations) governing financial statements and accounting practices.

''(ii) A policy council, a majority of whose representatives shall be parents of children participating in a Head Start program or in an Early Head Start program, or of children who participated in a Head Start program or in an Early Head Start program in the then most recent 5-year period preceding the selection of the particular representative involved, and whose primary responsibility shall be to serve as a link between parents and the board of directors and to make and submit recommendations on the following activities to the Board:

''(I) The strategic direction of the program, including long and short-term planning goals and objectives.

''(II) Program operation policies, including standards of conduct for program staff and volunteers.

''(III) Activities to support the active involvement of parents in supporting program operations.

''(IV) Classroom activities and staffing.

''(V) Program responsiveness to community and parent needs.

''(VI) Other areas the committee identifies as necessary to improve program operations.

''(C) To approve the selection and dismissal of the Head Start director, and to review annually the human resources available to ensure the effective operation of the Head Start agency.

''(D) To consult, on a regular basis, with the policy committee and to take actions on recommendations submitted by such committee.

''(E) To review and approve the major operational policies of the Head Start agency, including policies addressing accounting, financial management, procurement, record confidentiality, and personnel (including specific standards governing salaries, salary adjustments, travel and per diem allowances, and other employee benefits).

''(F) To ensure that the Head Start agency is operated in compliance with applicable Federal, State, and local laws (including regulations), and to monitor agency implementation of any corrective action necessary to comply with applicable laws (including regulations);

''(G) To oversee the program planning of the Head Start agency, including adoption of the Head Start agency philosophy and mission statement, adoption of policies for determining community needs, setting long- and short-range goals and objectives, establishment of criteria for selecting families in Head Start programs or Early Head Start programs, and to oversee and approve the agency's applications to receive funds made available under this subchapter; and

''(H) To establish, to adopt, and to periodically update written standards of conduct that establish standards and formal procedures for disclosing, addressing, and resolving—

''(i) any conflict of interest, and any appearance of a conflict of interest, by board members, officers, employees, consultants, and agents who provide services or furnish goods to the Head Start agency; and

''(ii) complaints, including investigations, when appropriate.

''(5) To seek the involvement of parents, area residents, and local business in the design and implementation of the program.

''(6) To provide technical and other support needed to enable parents and area residents to secure on their own behalf available assistance from public and private sources.

''(7) To establish effective procedures to facilitate the involvement of parents of participating children in activities designed to help such parents become full partners in the education of their children, and to afford such parents the opportunity to participate in the development and overall conduct of the program at the local level, including a process through which parents of children currently participating in a Head Start program or an Early Head Start program select the parent representatives to serve on the council under section 642(b)(4)(B)(ii).

''(8) To conduct outreach to schools in which children participating in Head Start programs enroll, local educational agencies, the local business community, community-based organizations, faith-based organizations, museums, and libraries to generate support and leverage the resources of the entire local community in order to improve school readiness.

''(9) To offer (directly or through referral to local entities, such as entities carrying out Even Start programs under subpart 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2741 et seq.)), to parents of participating children, family literacy services and parenting skills training.

''(10) To offer to parents of participating children substance abuse counseling (either directly or through referral to local entities), including information on drug-exposed infants and fetal alcohol syndrome.

''(11) At the option of such agency, to offer (directly or through referral to local entities), to such parents—

''(A) training in basic child development (including cognitive development);

''(B) assistance in developing literacy and communication skills;

''(C) opportunities to share experiences with other parents (including parent-mentor relationships);

''(D) mental and behavioral health services;

''(E) regular in-home visitation; or

''(F) any other activity designed to help such parents become full partners in the education of their children.

''(12) To provide, with respect to each participating family, a family needs assessment that includes consultation with such parents about the benefits of parent involvement and about the activities described in paragraphs (5) through (8) in which such parents may choose to be involved (taking into consideration their specific family needs, work schedules, and other responsibilities).

''(13) To consider providing services to assist younger siblings of children participating in its Head Start program to obtain health services from other sources.

''(14) To perform community outreach to encourage individuals previously unaffiliated with Head Start programs to participate in its Head Start program as volunteers.

''(15)(A) To inform custodial parents in single-parent families that participate in programs, activities, or services carried out or provided under this subchapter about the availability of child support services for purposes of establishing paternity and acquiring child support; and

''(B) refer eligible parents to the child support offices of State and local governments.

''(16) provide parents of limited English proficient children outreach and services under this subchapter, in an understandable and uniform format and, to the extent practicable, in a language that such parents can understand.''.

(b) COORDINATION AND COLLABORATION.—Section 642(c) of the Head Start Act (42 U.S.C. 9837(c)) is amended to read as follows:

''(c) The head of each Head Start agency shall coordinate and collaborate with the State agency responsible for administering the State program carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and other early childhood education and development programs, including programs under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431–11435), Even Start programs under subpart 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2741 et seq.), and programs under Part C and section 619 of the Individuals with Disabilities Education Act (20 U.S.C. 1431–1445, 1419), and the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a), serving the children and families served by the Head Start agency to carry out the provisions of this subchapter.''.

(c) OTHER COORDINATION.—Section 642(d) of the Head Start Act (42 U.S.C. 9837(d)) is amended—

(1) by redesignating paragraphs (2) through (4) as paragraph (5) through (7), respectively;

(2) by inserting after paragraph (1) the following:

''(2) COORDINATION.—

''(A) LOCAL EDUCATIONAL AGENCY.—In communities where both public prekindergarten programs and Head Start programs operate, a Head Start agency shall collaborate and coordinate activities with the local educational agency or other public agency responsible for the operation of the prekindergarten program and providers of prekindergarten, including outreach activities to identify eligible children.

''(B) ELEMENTARY SCHOOLS.—Head Start staff shall, with the permission of the parents of children enrolled in Head Start programs, regularly communicate with the elementary schools such children will be attending—

''(i) to share information about such children;

''(ii) to receive advice and support from the teachers in such elementary schools participating in Early Reading First programs funded under subpart 1 of part B of title I of the Elementary and Secondary Education Act of 1965 regarding scientifically based teaching strategies and options; and

''(iii) to ensure a smooth transition to elementary school for such children.

''(C) OTHER EARLY EDUCATION AND CHILD DEVELOPMENT PROGRAMS.—The head of each Head Start agency shall coordinate activities and collaborate with the State agency responsible for administering the State program carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and other entities carrying out early childhood education and development programs, programs under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431–11435), Even Start programs under subpart 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6381 et seq.), and programs under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C 1419, 1431 et seq.), serving the children and families served by the Head Start agency.

''(D) OTHER PROGRAMS.—Each Head Start agency shall collaborate, as appropriate, with providers of social and community services available to children and families participating in Head Start programs, and may support such partnerships with financial agreements, when applicable, for the provision of such services.

''(3) COLLABORATION.—A Head Start agency shall take steps to coordinate activities with the local educational agency serving the community involved and with schools in which children participating in a Head Start program operated by such agency will enroll following such program, including—

''(A) collaborating on the shared use of transportation and facilities;

''(B) collaborating to enhance the efficiency of services while increasing the program participation of underserved populations of eligible children; and

''(C) exchanging information on the provision of noneducational services to such children.

''(4) PARENTAL INVOLVEMENT.—In order to promote the continued involvement of the parents (including grandparents and kinship caregivers, as appropriate) of children that participate in Head Start programs in the education of their children upon transition to school, the Head Start agency shall work with the local educational agency—

''(A) to provide training to the parents—

''(i) to inform the parents about their rights and responsibilities concerning the education of their children; and

''(ii) to enable the parents—

''(I) to understand and work with schools in order to communicate with teachers and other school personnel;

''(II) to support the schoolwork of their children; and

''(III) to participate as appropriate in decisions relating to the education of their children; and

''(B) to take other actions, as appropriate and feasible, to support the active involvement of the parents with schools, school personnel, and school-related organizations.'';

(3) in paragraph (5), as so redesignated—

(A) by striking ''A'' and inserting ''Each'';

(B) by striking ''may'' and inserting ''shall'';

(C) by striking ''and'' at the end of subparagraph (A);

(D) by redesignating subparagraph (B) as subparagraph (C); and

(E) by inserting after subparagraph (A) the following:

''(B) collaborating to increase the program participation of underserved populations of eligible children; and''; and

(4) by adding at the end the following:

''(8) Head Start agencies shall implement a research-based early childhood curricula that promotes young children's school readiness in the areas of language and cognitive development, early reading and premathematics skills, socioemotional skills, physical development, and approaches to learning. Such curricula shall be—

''(A) based on scientifically based research and have standardized training procedures and published curriculum materials to support implementation; and

''(B) comprehensive, outcomes based, and linked to ongoing assessment with instructional goals and measurable objectives.

''(9) Head Start agencies shall use ongoing, research-based assessment methods that are developmentally appropriate, culturally and linguistically responsive, and tied to children's daily activities in order to support the educational instruction of children in the program, including language skills, prereading knowledge and premathematics knowledge. Assessment instruments shall be those designed and validated for making decisions about teaching and learning and aligned with the program's curricula and Section 641A(a)(1).

''(10) For the purpose of meeting the performance standards, Head Start agencies shall use high-quality research-based developmental screening tools that have been demonstrated to be standardized, reliable, valid, and accurate for children from a range of racial, ethnic, linguistic, and cultural backgrounds.''.

(d) ASSESSMENT.—Section 642 of the Head Start Act (42 U.S.C. 9837) is amended by striking subsection (e) and inserting the following:

''(e) ASSESSMENT.—Each Head Start agency shall adopt, in consultation with experts in child development and with classroom teachers, an assessment to be used when hiring or evaluating any classroom teacher in a center-based Head Start program. Such assessment shall measure whether such teacher has mastered the functions described in section 648A(a)(1) and attained a level of literacy appropriate to implement Head Start curricula.

''(f) FUNDED ENROLLMENT; WAITING LIST.—Each Head Start agency shall enroll 100 percent of its funded enrollment and maintain an active waiting list at all times with ongoing outreach to the community and activities to identify underserved populations.''.

SEC. 10. LOCAL AND STATE INTEGRATION OF EARLY CHILDHOOD EDUCATION.

The Head Start Act (42 U.S.C. 9831 et. seq.) is amended by inserting after section 642A the following:

"SEC. 642B. LOCAL AND STATE INTEGRATION OF EARLY CHILDHOOD EDUCATION.

''(a) LOCAL INTEGRATION.—In general, Head Start agencies shall enter into ongoing partnerships with local educational agencies, State-funded preschool and other early childhood programs. Head Start agencies shall operate in a manner consistent with the goal of creating and expanding an efficient and effective system of early childhood and school readiness services in each State and community, while maintaining compliance with Standards under section 641A(a).

''(1) MEMORANDA OF UNDERSTANDING.—Each Head Start agency shall enter into a memorandum of understanding with any local educational agencies or local councils, responsible for managing publicly funded prekindergarten programs in the service area of the Head Start agency (or if such agencies and such councils are not applicable in the service area, with the largest provider of publicly funded prekindergarten in the service area), that shall include plans to coordinate the following activities:

''(A) Educational activities, curricula, and instruction aligned to challenging State developed educational activities, curricula, and instruction aligned to challenging State developed academic content standards.

''(B) Public information dissemination and access to programs for families contacting any of the early childhood programs.

''(C) Selection priorities for eligible children to be served by programs.

''(D) Service delivery areas.

''(E) Staff training, including opportunities for joint staff training on topics such as academic content standards and instructional methods.

''(F) Program technical assistance.

''(G) Provision of additional services to meet the child care needs of working parents.

''(H) Planning and parent education for smooth transitions to kindergarten as required in section 642A(3) and 642A(6).

''(I) Provision and use of facilities, transportation, and other program elements.

''(J) Other elements mutually agreed to by the parties to such memorandum.

''(2) TIMING OF MEMORANDA.—Each Head Start agency shall enter into a memorandum of understanding under paragraph (1) not later than 1 year after the effective date of this section.

''(3) SECRETARIAL REVIEW.—Each memorandum of understanding entered into under paragraph (1) shall be submitted to the Secretary not later than 30 days after entering into such memorandum.

''(A) If a Head Start agency is unable to comply with the requirement in (1) the Head Start agency shall notify the Secretary and the chief executive officer of the State not later than 30 days after determining that they are unable to enter into such memorandum. The Secretary, in cooperation with the State Early Learning Council and the State Director of Head Start Collaboration, shall evaluate the causes of failure to enter into a memorandum of understanding under paragraph (1). With the assistance of the State Early Learning Council and the State Director of Head Start Collaboration, all parties shall again attempt to enter into a

memorandum of understanding under paragraph (1). Then if no such memorandum of understanding is entered into, the Secretary shall make 1 of the following determinations:

''(i) The local educational agency, local council, or other appropriate entity is unable or unwilling to enter into such a memorandum despite reasonable efforts on the part of the Head Start agency.

''(ii) The Head Start agency has not engaged in reasonable efforts to successfully negotiate and enter into a memorandum of understanding pursuant to paragraph (1).

''(iii) There is an absence of publicly funded prekindergarten in the service area of the Head Start agency.

''(B) If the Secretary determines the Head Start agency is not making reasonable efforts to enter into a memorandum of understanding pursuant to paragraph (1), the Head Start agency shall be found deficient and shall be considered by the Secretary in the same manner as other deficiency findings.

''(C) If the Secretary concludes that the local educational agency, local council, or other appropriate entity is not making reasonable efforts to reach such a memorandum of understanding, the Head Start agency shall not be found out of compliance with paragraph (1).

''(4) REVISION OF MEMORANDA.—Each memorandum of understanding shall be revised and renewed annually by the parties to such memorandum, in alignment with the beginning of the school year.

''(5) ABSENCE OF PREKINDERGARTEN.—In the absence of publicly funded prekindergarten in the service area of a Head Start agency, the Head Start agency shall submit notice to the Secretary and the chief executive officer of the State, and shall work with the State Early Learning Council and the State Director of Head Start Collaboration to improve coordination in their service area.

''(b) STATEWIDE INTEGRATION.—From the amounts reserved under section 640(a)(2)(C)(ii), the Secretary shall award an early learning collaboration grant to each State for the purposes of supporting a State Early Learning Council responsible for advancing the development of a coordinated early childhood services delivery system in the State. A State that receives a grant under this subparagraph shall—

''(1) establish a State Early Learning Council, which shall include the State Director of Head Start Collaboration, representatives from the State preschool programs, representatives of local educational agencies, the State official who oversees child care programs, the State official who oversees section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.), the State official who oversees the State educational agency, and representatives from Head Start agencies located in the State, including migrant and seasonal Head Start programs and Indian Head Start programs. The chief executive officer of the State may designate an existing entity to serve as the Early Learning Council if such entity includes representatives described in this paragraph;

''(2) ensure that allotted funds distributed to a State for a fiscal year to carry out this subsection may be used by the State to pay not more than 30 percent of the cost of carrying out this subsection;

''(3) direct the Early Learning Council—

''(A) to increase coordination and collaboration among State preschool, Head Start programs, child care programs, early childhood special education, and other early childhood programs, including in the areas of outcomes and standards, technical assistance, coordination of services, cross-sector professional development and training, community outreach, communication, and better serving the needs of working families through provision of full-day and full-year early education services;

''(B) to work with State agencies responsible for education, child care, and early intervention to provide leadership and assistance to local Head Start programs, school districts, and State and locally funded preschool and child care programs to increase integration among early childhood programs through adoption of local memoranda of understanding described in subparagraph (A) and other means;

''(C) to work with State agencies responsible for education, child care, and early intervention to provide leadership and assistance to develop a coherent sequence of standards for children age 3 through the early elementary grades to effect a smooth transition to and success in the early elementary grades;

''(D) to conduct periodic statewide needs assessments concerning early care and education programs for children from birth to school entry;

''(E) to work to identify and address barriers to and opportunities for integration between entities carrying out Federal and State child development, child care, and early childhood education programs;

''(F) to develop recommendations regarding means of establishing a unified data collection system for early care and education programs operating throughout the State;

''(G) to address coordination of early learning programs with health care (including mental and behavioral health care), welfare, family literacy and services for homeless children;

''(H) to support a State system of early childhood education, and training and technical assistance that improves the quality of early learning programs and the capacity of such programs to deliver services pursuant to section 648(b); and

''(I) to develop a plan for increasing the participation of children underrepresented in State early childhood education and child care programs, including Head Start, State preschool programs, and programs carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.).

''(4) Nothing in this subsection shall be construed to provide the Early Learning Council with authority to alter the provisions of this Act.

''(5) Funds made available under this section shall be used to supplement, and not supplant, other Federal, State, and local funds that would otherwise be expended to carry out the purposes of this section.''.

SEC. 11. HEAD START ALIGNMENT WITH K–12 EDUCATION.

Section 642A of the Head Start Act (42 U.S.C. 9837a) is amended—

(1) by amending the heading to read as follows:

''SEC. 642A. HEAD START ALIGNMENT WITH K–12 EDUCATION.'';

(2) in paragraph (2)—

(A) by inserting ''ongoing'' after ''establishing''; and

(B) by inserting ''McKinney-Vento liaisons as established under section 722 (g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)),'' after ''social workers,'';

(3) by redesignating paragraphs (3) through (7) as paragraphs (5) through (9), respectively; and

(4) by inserting the following after paragraph (2):

''(3) developing continuity of developmentally appropriate curricula between Head Start and local educational agencies to ensure an effective transition and appropriate shared expectations for children's learning and development as they make such transition to school;

''(4) organizing and participating in joint training, including transition-related training for school staff and Head Start staff;'';

(5) by amending paragraph (7), as so redesignated, to read as follows:

''(7) developing and implementing a family outreach and support program in cooperation with entities carrying out parental involvement efforts under title I of the Elementary and Secondary Education Act of 1965 and family outreach and support efforts under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431–11435);'';

(6) in paragraph (8), as so redesignated—

(A) by inserting ''and continuity in parental involvement activities'' after ''developmental continuity''; and

(B) by striking ''and'' at the end;

(7) by amending paragraph (9), as so redesignated, to read as follows:

''(9) linking the services provided in such Head Start program with the education services, including services relating to language, literacy, and numeracy, provided by such local educational agency;''; and

(8) by adding at the end the following:

''(10) helping parents (including grandparents and kinship caregivers, as appropriate) to understand the importance of parental involvement in a child's academic success while teaching them strategies for maintaining parental involvement as their child moves from Head Start to elementary school;

''(11) developing and implementing a system to increase program participation of underserved populations of eligible children; and

''(12) coordinating activities and collaborating to ensure that curricula used in the Head Start program is aligned with—

''(A) State early learning standards with regard to cognitive, social, emotional, and physical competencies that children entering kindergarten are expected to demonstrate; and

''(B) the Head Start Child Outcomes Framework developed by the Secretary.''.

SEC. 12. ADMINISTRATIVE REQUIREMENTS AND STANDARDS.

Section 644 of the Head Start Act (42 U.S.C. 9839(f)(2)) is amended—

(1) in subsection (a)—

(A) by inserting ''(1) STANDARDS.—'' after ''(a)''; and

(B) by inserting after the 3d sentence the following:

''(2) ANNUAL REPORT.—Each Head Start agency shall make available to the public a report published at least once in each fiscal year that discloses the following information from the then most recently concluded fiscal year, except that reporting such information shall not reveal personally identifiable information about an individual child:

''(A) The total amount of public and private funds received and the amount from each source.

''(B) An explanation of budgetary expenditures and proposed budget for the following fiscal year.

''(C) The total number of children and families served and percent of average monthly enrollment, including the percent of eligible children served.

''(D) The results of the most recent review by the Secretary and the financial audit.

''(E) The percentage of enrolled children that received medical and dental exams.

''(F) Information about parent involvement activities.

''(G) The agency's efforts to prepare children for kindergarten.

''(H) Any other information that describes the activities of the agency.

''(3) PROCEDURAL CONDUCT.—''; and

(2) in subsection (f)(2)

(A) by redesignating subparagraphs (A) through (E) as subparagraphs (B) through (F), respectively; and

(B) by inserting before subparagraph (B), as so redesignated, the following:

''(A) a description of the consultation conducted by the Head Start agency with the providers in the community demonstrating capacity and capability to provide services under this subchapter, and of the potential for collaboration with such providers and the cost effectiveness of such collaboration as opposed to the cost effectiveness of the purchase of a facility;''.

SEC. 13. ELIGIBILITY.

Section 645(a) of the Head Start Act (42 U.S.C. 9840) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B)(i)—

(i) by striking ''to a reasonable extent'' and inserting ''not to exceed 10 percent of the total enrollment'';

(ii) by striking ''benefit from such programs'' and inserting ''benefit from such programs, including children referred by child welfare services,''; and

(iii) by inserting ''(a homeless child shall be deemed to meet the low-income criteria)'' before the semicolon; and

(2) by adding at the end the following:

''(3) The amount of a basic allowance provided under section 403 of title 37, United States Code, on behalf of an individual who is a member of the uniformed services for housing that is acquired or constructed under the authority of subchapter IV of chapter 169 of title 10, United States Code, or any other related provision of law, shall not be considered to be income for purposes of determining the eligibility of a child of the individual for programs assisted under this subchapter.''.

SEC. 14. EARLY HEAD START PROGRAMS.

(a) IN GENERAL.—Section 645A(b) of the Head Start Act (42 U.S.C. 9840a(b)) is amended—

(1) by amending paragraphs (4) and (5) to read as follows:

''(4) provide services to parents to support their role as parents (including parenting skills training and training in basic child development) and to help the families move toward self-sufficiency (including educational and employment services as appropriate);

''(5) coordinate services with services (including home-based services) provided by programs in the State and programs in the community (including programs for infants and toddlers with disabilities and programs for homeless infants and toddlers) to ensure a comprehensive array of services (such as health and mental health services, and family support services);'';

(2) by amending paragraph (8) to read as follows:

''(8) ensure formal linkages with the agencies and entities described in section 644(b) of the Individuals with Disabilities Education Act (20 U.S.C. 1444(b)) and providers of early intervention services for infants and toddlers with disabilities under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) and the agency responsible for administering section 106 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a);'';

(3) by redesignating paragraph (9) as paragraph (11); and

(4) by inserting after paragraph (8) the following:

''(9) develop and implement a systematic procedure for transitioning children and parents from an Early Head Start program into a Head Start program or another local early childhood education program;

''(10) establish channels of communication between staff of Early Head Start programs and staff of Head Start programs or other local early childhood education programs, to facilitate the coordination of programs; and''.

(b) MIGRANT AND SEASONAL PROGRAMS; COMMUNITY- AND FAITH-BASED ORGANIZATIONS.—Section 645A(d) of the Head Start Act (42 U.S.C. 9840a(d)) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) entities operating Head Start programs under this subpart, including migrant and seasonal Head Start programs; and''; and

(2) in paragraph (2) by inserting '', including community- and faith-based organizations'' after ''entities'' the 2d place it appears.

(c) TRAINING AND TECHNICAL ASSISTANCE ACCOUNT.—Section 645A(g)(2)(B) of the Head Start Act (42 U.S.C. 9640a(g)(2)(B)) is amended—

(1) in clause (iii) by striking ''and'' at the end;

(2) in clause (iv) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(v) providing professional development designed to increase program participation for underserved populations of eligible children.''.

(d) CENTER-BASED STAFF.—Section 645A of the Head Start Act (42 U.S.C. 9840a) is amended by adding at the end the following:

''(h) CENTER-BASED STAFF.—The Secretary shall ensure that, not later than September 30, 2008, all teachers providing direct services to children and families participating in Early Head Start programs located in Early Head Start centers have a minimum of a child development associate credential or an associate degree, and have been trained (or have equivalent course work) in early childhood development.''.

SEC. 15. PARENTAL CONSENT REQUIREMENT FOR NONEMERGENCY INTRUSIVE PHYSICAL EXAMINATIONS.

The Head Start Act (42 U.S.C. 9831 et seq.) is amended by inserting after section 645A the following:

''SEC. 645B. PARENTAL CONSENT REQUIREMENT FOR NONEMERGENCY INTRUSIVE PHYSICAL EXAMINATIONS.

''(a) DEFINITION.—The term 'nonemergency intrusive physical examination' means, with respect to a child, a physical examination that—

''(1) is not immediately necessary to protect the health or safety of such child, or the health or safety of another individual; and

''(2) includes incision or is otherwise invasive, or includes exposure of private body parts.

''(b) REQUIREMENT.—Before administering any health care service (including any nonemergency intrusive physical examination) to a child (or referring such child to obtain such service) in connection with participation in a program under this subchapter, a Head Start agency and an entity that receives assistance under section 645A shall obtain the written consent of a parent of such child.

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a Head Start agency or an entity that receives assistance under section 645A from using established methods, for handling cases of suspected or known child abuse and neglect, that are in compliance with applicable Federal, State, or tribal law.''.

SEC. 16. RIGHT TO APPEAL.

Section 646(a)(3) of the Head Start Act (42 U.S.C. 9841(a)(3)) is amended to read as follows:

''(3) if financial assistance under this subchapter is terminated or reduced, an application for a noncompeting continuation award is denied based on a previous failure to comply with terms applicable to financial assistance previously provided this subchapter, or suspension of financial assistance is continued for more than 30 days, the recipient with respect to whom such action is taken shall have the opportunity to appeal such action in accordance with such procedures, except that no funds made available under this subchapter may be used to reimburse any such recipient for legal fees and other costs incurred in pursuing such an appeal;''.

SEC. 17. AUDITS.

Section 647 of the Head Start Act (42 U.S.C. 9842) is amended by adding at the end the following:

''(c)(1) Not later than 180 days after the end of each fiscal year, each Head Start agency, and each entity that receives assistance under section 645A, shall submit to the Secretary an independent financial audit of the Head Start program carried out with financial assistance provided under this subchapter. Such audit shall be carried out by a certified public accountant selected through a competitive process from among qualified certified accountants by the local oversight board established in accordance with section 642(b)(4) by such agency, except that no accountant may perform audits of such program for a period exceeding 5 consecutive fiscal years.

''(2) Not later than 60 days after receiving such audit, the Secretary shall provide to such agency or such entity, and to the chief executive officer of the State in which such program is operated, a notice identifying the actions such agency or such entity is required to take to correct all deficiencies identified in such audit.

''(d) Each recipient of financial assistance under this subchapter shall—

''(1) maintain, and annually submit to the Secretary, a complete accounting of its administrative expenses (including a detailed statement identifying the amount of financial assistance provided under this subchapter used to pay expenses for salaries and compensation and the amount (if any) of other funds used to pay such expenses); and

''(2) provide such additional documentation as the Secretary may require.''.

SEC. 18. TECHNICAL ASSISTANCE AND TRAINING.

(a) ALLOCATION OF RESOURCES.—Section 648(c) of the Head Start Act (42 U.S.C. 9843(c)) is amended—

(1) in paragraph (2) by inserting ''and for activities described in section 1221(b)(3) of the Elementary and Secondary Education Act of 1965'' after ''disabilities'' ; and

(2) in paragraph (5) by inserting '', including the needs of homeless children and their families'' after ''assessment'';

(3) in paragraph (10) by striking ''and'' at the end;

(4) in paragraph (11) by striking the period at the end and inserting a semicolon; and

(5) by adding the following at the end:

''(12) assist Head Start agencies and programs in increasing program participation of homeless children; and

''(13) assist Head Start agencies and Head Start programs in improving outreach to, and the quality of services available to, limited English proficient children and their families, particularly in communities that have experienced a large percentage increase in the population of limited English proficient individuals, as measured by the Bureau of the Census.''.

(b) TRAINING IN USE OF MEDIA.—Section 648(d) of the Head Start Act (42 U.S.C. 9843(d)) is amended by inserting '', including community- and faith-based organizations'' after ''entities'' the first place such term appears.

(c) CHILD DEVELOPMENT AND NATIONAL ASSESSMENT PROGRAM.—Section 648(e) of the Head Start Act (42 U.S.C. 9843(e)) is amended to read as follows:

''(e) The Secretary shall provide, either directly or through grants or other arrangements, funds from programs authorized under this subchapter to support an organization to administer a centralized child development and national assessment program leading to recognized credentials for personnel working in early childhood development and child care programs, training for personnel providing services to limited English proficient children (including services to promote the acquisition of the English language), training for personnel providing services to children determined to be abused or neglected, training for personnel providing services to children referred by or receiving child welfare services, training for personnel in helping children cope with community violence, and resource access projects for personnel working with disabled children.''.

(d) ADDRESSING UNIQUE NEEDS.—Section 648 of the Head Start Act (42 U.S.C. 9843) is amended by adding at the end the following:

''(f) The Secretary shall provide, either directly or through grants, or other arrangements, funds for training of Head Start personnel in addressing the unique needs of migrant and seasonal working families, families with a limited English proficiency, and homeless families.

''(g) More than 50 percent of funds expended under this section shall be used to provide high quality, sustained, intensive, and classroom-focused training and technical assistance in order

to have a positive and lasting impact on classroom instruction. Funds shall be used to carry out activities related to any or all of the following:

''(1) Education and early childhood development.

''(2) Child health, nutrition, and safety.

''(3) Family and community partnerships.

''(4) Other areas that impact the quality or overall effectiveness of Head Start programs.

''(h) Funds under this subchapter used for training shall be used for needs identified annually by a grant applicant or delegate agency in their program improvement plan, except that funds shall not be used for long-distance travel expenses for training activities available locally or regionally or for training activities substantially similar to locally or regionally available training activities.

''(i)(1) The Secretary shall work in collaboration with the Head Start agencies that carry out migrant and seasonal Head Start programs, State Directors of Head Start Collaboration, the migrant and seasonal Head Start collatoration director, and other appropriate entities—

''(A) to accurately determine the number of children nationwide who are eligible to participate in migrant and seasonal Head Start programs each year;

''(B) to document how many of these children are receiving Head Start services each year; and

''(C) to the extent practicable, to ensure that access to migrant and seasonal Head Start programs for eligible children is comparable to access to other Head Start programs for other eligible children;

''(2) In carrying out paragraph (1)(A), the Secretary shall consult with the Secretary of Education about the Department of Education's systems for collecting and reporting data about, and maintaining records on, students from migrant and seasonal farmworker families.

''(3) Not later than 9 months after the effective date of this subsection, the Secretary shall publish in the Federal Register a notice of how the Secretary plans to carry out paragraph (1) and shall provide a period for public comment. To the extent practicable, the Secretary shall consider comments received before submitting a report to the Congress.

''(4) Not later than 1 year after the effective date of this subsection, the Secretary shall submit a report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, detailing how the Department of Health and Human Services plans to carry out paragraph (1).

''(5) The Secretary shall submit annually a report to the Congress detailing the number of children of migrant and seasonal farmworkers, who are eligible to participate in Head Start programs and the number of such children who are enrolled in Head Start programs.

''(6) The Secretary shall take appropriate action, consistent with section 444 of the General Education Provisions Act, to ensure the protection of the confidentiality of any personally identifiable data, information, and records collected or maintained by the Secretary, by Head Start agencies that carry out migrant and seasonal Head Start programs, by State Directors of Head Start Collaboration, by the Migrant and Seasonal Farmworker Collaboration Project Director, and by other appropriate entities pursuant to this subsection.

''(7) Nothing in this subsection shall be construed to authorize the development of a nationwide database of personally identifiable information on individuals involved in studies or other collections of data under this subsection.

''(j) For purposes of this section, the term 'eligible entities' means an institution of higher education or other entity with expertise in delivering training in early childhood development, family support, and other assistance designed to improve the delivery of Head Start services.''.

SEC. 19. STAFF QUALIFICATIONS AND DEVELOPMENT.

(a) CLASSROOM TEACHERS.—Section 648A(a)(2) of the Head Start Act (42 U.S.C. 9843a(a)(2)) is amended to read as follows:

''(2) DEGREE REQUIREMENTS.—

''(A) IN GENERAL.—The Secretary shall ensure that not later than September 30, 2011, at least 50 percent of all Head Start teachers nationwide in center-based programs have—

''(i) a baccalaureate or advanced degree in early childhood education; or

''(ii) a baccalaureate or advanced degree in a field related to early childhood education, with experience in teaching preschool children.

''(B) PROGRESS.—Each Head Start agency shall provide to the Secretary a report indicating the number and percentage of classroom instructors with child development associate credentials and associate, baccalaureate, or advanced degrees. The Secretary shall compile all program reports and make them available to the Committee on Education and the Workforce of the United States House of Representatives and the Committee on Health, Education, Labor, and Pensions of the United States Senate.

''(C) REQUIREMENT FOR NEW HEAD START TEACHERS.—Within 3 years after the effective date of this subparagraph, the Secretary shall require that all Head Start teachers nationwide in center-based programs hired following the effective date of this subparagraph—

''(i) have an associate, baccalaureate, or advanced degree in early childhood education or a related field; or

''(ii) be currently enrolled in a program of study leading to an associate degree in early childhood education and agree to complete degree requirements within 3 years from the date of hire.

''(D) SERVICE REQUIREMENTS.—The Secretary shall establish requirements to ensure that individuals who receive financial assistance under this subchapter in order to comply with the requirements under section 648A(a)(2) shall subsequently teach in a Head Start center for a period of time equivalent to the period for which they received assistance or repay the amount of the funds.

''(E) LIMITATION.—The Secretary shall require that any Federal funds provided directly or indirectly to comply with subparagraph (A) shall be used toward degrees awarded by an institution of higher education, as defined by sections 101 or 102 of the Higher Education Act (20 U.S.C. 1001–1002).''.

(b) CLASSROOM TEACHERS.—Section 648A of the Head Start Act (42 U.S.C. 9843a) is amended by adding at the end the following:

''(f) PROFESSIONAL DEVELOPMENT PLANS.—Each Head Start agency and program shall create, in consultation with an employee, a professional development plan for all full-time employees who provide direct services to children.''.

SEC. 20. RESEARCH, DEMONSTRATIONS, AND EVALUATION.

(a) NEW IDEAS AND APPROACHES.—Section 649(a)(1)(B) of the Head Start Act (42 U.S.C. 9844(a)(1)(B)) is amended to read as follows:

''(B) use the Head Start programs to develop, test, and disseminate new ideas and approaches based on existing scientifically based research, for addressing the needs of low-income preschool children (including children with disabilities and children determined to be abused or neglected) and their families and communities (including demonstrations of innovative non-center based program models such as home-based and mobile programs), and otherwise to further the purposes of this subchapter.''.

(b) STUDY.—Section 649(d) of the Head Start Act (42 U.S.C. 9844(d) is amended—

(1) in paragraph (7) by adding ''and'' at the end;

(2) in paragraph (8) by striking the semicolon and inserting a period;

(3) by striking paragraph (9); and

(4) by striking the last sentence.

(c) EXPERT PANEL.—Section 649(g) of the Head Start Act (42 U.S.C. 9844(g)) is amended—

(1) in paragraph (1)(A)—

(A) by striking clause (i); and

(B) by redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively; and

(2) in paragraph (7)(C)(i) is amended to read as follows:

''(i) Not later than September 30, 2007, the Secretary shall transmit to the committees specified in clause (ii) the final report.''.

(d) NAS STUDY.—Section 649(h) of the Head Start Act (42 U.S.C. 9844(h)) is amended to read as follows:

''(h) NAS STUDY.—

''(1) IN GENERAL.—The Secretary shall use funds allocated in section 640(a)(2)(C)(iii) to contract with the National Academy of Sciences for the Board on Children, Youth, and Families of the National Research Council to establish an independent panel of experts to review and synthesize research, theory and applications in the social, behavioral and biological sciences and to make recommendations on early childhood pedagogy with regard to each of the following:

''(A) Age and developmentally appropriate Head Start academic requirements and outcomes, including the domains in 641A(a)(B).

''(B) Differences in the type, length, mix and intensity of services necessary to ensure that children from challenging family and social backgrounds including: low-income children, children of color, children with special needs, and children with limited English proficiency enter kindergarten ready to succeed.

''(C) Appropriate assessments of young children (including systematic observation assessment in a child's natural environment, and parent and provider interviews) for purposes of improving instruction, services, and program quality, and accommodations for children with disabilities and appropriate assessments for children with special needs (including needs related to the acquisition of the English language).

''(D) An evaluation of the current and appropriate uses of the National Reporting System developed by the Secretary.

''(2) COMPOSITION.—The panel shall consist of multiple experts in each of the following areas:

''(A) Child development and education, including cognitive, social, emotional, physical, approaches to learning, and other domains of child development and learning.

''(B) Professional development, including teacher preparation, to individuals who teach young children in programs.

''(C) Assessment of young children, including screening, diagnostic and classroom-based instructional assessment; children with special needs, including children with disabilities and limited English proficient children.

''(3) TIMING.—The National Academy of Sciences and the Board shall establish the panel not later than 90 days after the date of the enactment of the School Readiness Act of 2005. The panel shall complete its recommendations within 18 months of its convening.

''(4) APPLICATION OF PANEL RECOMMENDATIONS.—The recommendations of the panel shall be used as guidelines by the Secretary to develop, inform and revise, where appropriate, the Head Start education performance measures and standards and the assessments utilized in the Head Start program.''.

(e) STUDY OF STATUS OF LIMITED ENGLISH PROFICIENT CHILDREN.—Section 649 of the Head Start Act (42 U.S.C. 9844) is amended by adding at the end the following:

''(i) LIMITED ENGLISH PROFICIENT CHILDREN.—

''(1) STUDY.— Not later than 1 year after the date of enactment of the School Readiness Act of 2005, the Secretary shall conduct a study on the status of limited English proficient children and their families in Head Start programs and Early Head Start programs.

''(2) REPORT.—The Secretary shall prepare and submit to Congress, not later than September 2008, a report containing the results of such study, including information on—

''(A)(i) the demographics of limited English proficient children less than 5 years of age and the geographical distribution of such children; and

''(ii) the number of such children receiving Head Start services and the number of such children receiving Early Head Start services, and the geographical distribution of such children receiving such services;

''(B) the nature of the Head Start services and of the Early Head Start services provided to limited English proficient children and their families, including the types, content, duration, intensity, and costs of family services, language assistance, and educational services;

''(C) procedures in Head Start programs for assessing language needs and for making the transition of limited English proficient children to kindergarten, including the extent to which Head Start programs meet the requirements of section 642A for limited English proficient children;

''(D) the qualifications and training provided to Head Start teachers and Early Head Start teachers who serve limited English proficient children and their families;

''(E) the rate of progress made by limited English proficient children and their families in Head Start programs and in Early Head Start programs, including—

''(i) the rate of progress made by limited English proficient children toward meeting the additional educational standards described in section 641A(a)(1)(B)(ii) while enrolled in Head Start programs;

''(ii) the correlation between such progress and the type and quality of instruction and educational programs provided to limited English proficient children; and

''(iii) the correlation between such progress and the health and family services provided by Head Start programs to limited English proficient children and their families; and

''(F) the extent to which Head Start programs make use of funds under section 640(a)(3) to improve the quality of Head Start services provided to limited English proficient children and their families.''.

SEC. 21. REPORTS.

(a) REPORT.—Section 650(a) of the Head Start Act (42 U.S.C. 9845(a)) is amended—

(1) by amending the first sentence to read as follows:

''At least once during every 2-year period, the Secretary shall prepare and submit, to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate, a report concerning the status of children (including disabled, homeless, and limited English proficient children) in Head Start programs, including the number of children and the services being provided to such children.''; and

(2) in paragraph (8) by inserting '', homelessness'' after ''background''.

(b) NATIONAL REPORTING SYSTEM.—Section 650 of the Head Start Act (42 U.S.C. 9845) is amended by adding at the end the following:

''(c) NATIONAL REPORTING SYSTEM.—The Secretary shall submit annually to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, a report on the status of the National Reporting System developed by the Secretary. Such report shall include—

''(1) information on all contracts, grants, and expenses relating to the development and implementation of the National Reporting System;

''(2) information described in section 641A(b)(3)(B); and

''(3) a description of the recommendations made by the Technical Working Group, including issues of the technical adequacy, purpose, and administration of the System, and an explanation of how the Secretary plans to address these recommendations.''.

SEC. 22. LIMITATION ON RATE OF FEDERAL FUNDING FOR COMPENSATION.

Section 653 of the Head Start Act (42 U.S.C. 9848) is amended—

(1) by striking the heading;

(2) by striking ''SEC. 653. The'' and inserting the following:

''SEC. 653. WAGES AND COMPENSATION.

''(a) COMPARABILITY OF WAGES.—The''; and

(3) by adding at the end the following:

''(b) FEDERAL RATE LIMITATION.—Notwithstanding any other provision of law, no Federal funds shall be used to pay all or any part of the compensation of an individual employed by a Head Start agency in carrying out programs under this subchapter, either as direct or indirect costs or any proration thereof, at a rate in excess of the rate then payable for level II of the Executive Schedule under section 5316 of title 5, United States Code.''.

SEC. 23. LIMITATION ON USE OF FUNDS.

The Head Start Act (42 U.S.C. 9831 et seq.) is amended by inserting after section 656 the following:

''SEC. 656A. LIMITATION ON CERTAIN USES OF FUNDS.

''No funds made available to carry out this subchapter may be used—

''(1) for publicity or propaganda purposes not heretofore authorized by the Congress; or

''(2) unless authorized by law in effect on the effective date of this section, to produce any prepackaged news story intended for broadcast or distribution unless such story includes a clear notification contained within the text or audio of such story stating that the prepackaged news story was prepared or funded by the Department of Health and Human Services.''.

SEC. 24. CONFORMING AMENDMENT.

Section 641A(a)(2)(A) of the Head Start Act (42 U.S.C. 9836a(a)(2)(A)) is amended by striking ''non-English language background'' and inserting ''limited English proficient''.

SEC. 25. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.

(a) GENERAL EFFECTIVE DATE.—Except as provided in subsections (b) and (c), this Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) APPLICATION OF AMENDMENTS.—The amendments made by this Act shall not apply with respect to any fiscal year that begins before the date of the enactment of this Act.

(c) PRIORITY IN THE DESIGNATION OF HEAD START AGENCIES.—

(1) EFFECTIVE DATE.—Section 641(c), as amended by section 7(b) of this Act, shall take effect exactly twelve months from the date of the enactment of this Act, except for section 641(c)(5), which shall take effect on the date of the enactment of this Act.

(2) IMPLEMENTATION RULE.—For purposes of carrying out section 641(c) of the Head Start Act, as amended by section 7(b) of this Act, the Secretary may only consider the performance of a Head Start program in meeting the requirements described in section 641(c) of the Head Start Act, as amended by section 7(b) of this Act, from the date of enactment of this Act, except any performance that constitutes a deficiency since the then most recent designation.

The Acting CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 109–229. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It is now in order to consider amendment No. 1 printed in House Report 109–229.

AMENDMENT NO. 1 OFFERED BY MR. CASTLE

Mr. CASTLE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. CASTLE:

Page 8, line 23, insert ''and''.

Page 9, line 2, strike ''and''.

Page 9, strike lines 3 and 4.

Page 9, line 15, before the semicolon insert '', as appropriate''.

Page 12, line 10, strike the closing quotation mark and the period that follows.

Page 12, after line 10, insert the following:

''(27) the term 'auditor' means a certified public accountant or a Federal, State, or local government audit organization, which meets the general standards specified in generally accepted government auditing standards.''.

Page 13, line 25, insert ''(including under any decision made by the Secretary under clause (ii) or (iv))'' before the semicolon.

Page 14, line 10, strike ''648(j)'' and insert ''648(i)''.

Page 15, line 2, after ''children'' insert ''based on the data collected, and in accordance with the requirements of, section 648(i), except that no future reduction in funding shall result in the termination of Head Start services provided to any eligible child 3 years of age or older who is participating in any such program on the date a reduction in funding occurs, and shall, to the extent possible, continue participation for children less than 3 years of age receiving services prior to such reduction in funding''.

Page 26, line 22, strike ''and''.

Page 28, line 9, insert '', other State and local agencies administering the State pre-kindergarten program, as applicable,''.

Page 35, line 3, insert ''and developmentally'' after ''age''.

Page 37, line 1, strike ''PROGRESS'' and insert ''PROGRESS''.

Page 38, line 13, strike ''research,'' and insert ''research''.

Page 40, line 10, after ''health,'' insert ''providers of early childhood education,''.

Page 46, line 25, before the semicolon insert '', including private entities and charter schools offering pre-kindergarten''.

Page 49, line 7, strike ''and'' after the semicolon.

Page 49, after line 7, insert the following:

''(VI) approaches to learning related to child development and early learning; and

Page 49, line 8, strike ''(VI)'' and insert ''(VII)''.

Page 54, line 12, before the semicolon insert ''as appropriate''.

Page 62, beginning in line 11, strike ''the program of a Head Start agency,'' and insert ''a Head Start program,'' .

Page 62, beginning in line 13, strike ''and reported by the agency (as required in paragraph (2))''.

Page 67, line 9, strike ''and (5)'' and insert ''(5), and (6)''.

Page 67, line 16, strike ''by,'' and insert ''by''.

Page 69, line 1, strike ''(6)'' and insert ''(7)''.

Page 72, line 14, after ''chair of'' insert ''(or the designee of the chair, approved by)''.

Page 74, line 2, insert ''except when the auditor is assigned by the State under State law'' before the semicolon.

Page 76, line 2, strike ''committee'' and insert ''council''.

Page 76, line 3, strike ''committee'' and insert ''council''.

Page 80, line 13, insert ''to'' before ''refer''.

Page 80, line 15, insert ''To'' before ''provide''.

Page 85, beginning in line 6, strike ''as appropriate'' and insert '', as appropriate,''.

Page 86, line 6, strike ''socio-emotional skills,'' and insert ''socio-emotional development,''.

Page 87, after line 20, insert the following:

SEC. 10. HEAD START ALIGNMENT WITH K–12 EDUCATION.

Section 642A of the Head Start Act (42 U.S.C. 9837a) is amended—

(1) by amending the heading to read as follows:

''SEC. 642A. HEAD START ALIGNMENT WITH K–12 EDUCATION.'';

(2) in paragraph (2)—

(A) by inserting ''ongoing'' after ''establishing''; and

(B) by inserting ''McKinney-Vento liaisons as established under section 722 (g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)),'' after ''social workers,'';

(3) by redesignating paragraphs (3) through (7) as paragraphs (5) through (9), respectively; and

(4) by inserting the following after paragraph (2):

''(3) developing continuity of developmentally appropriate curricula between Head Start and local educational agencies to ensure an effective transition and appropriate shared expectations for children's learning and development as they make such transition to school;

''(4) organizing and participating in joint training, including transition-related training for school staff and Head Start staff;'';

(5) by amending paragraph (7), as so redesignated, to read as follows:

''(7) developing and implementing a family outreach and support program in cooperation with entities carrying out parental involvement efforts under title I of the Elementary and Secondary Education Act of 1965 and family outreach and support efforts under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431–11435);'';

(6) in paragraph (8), as so redesignated—

(A) by inserting ''and continuity in parental involvement activities'' after ''developmental continuity''; and

(B) by striking ''and'' at the end;

(7) by amending paragraph (9), as so redesignated, to read as follows:

''(9) linking the services provided in such Head Start program with the education services, including services relating to language, literacy, and numeracy, provided by such local educational agency;''; and

(8) by adding at the end the following:

''(10) helping parents (including grandparents and kinship caregivers, as appropriate) to understand the importance of parental involvement in a child's academic success while teaching them strategies for maintaining parental involvement as their child moves from Head Start to elementary school;

''(11) developing and implementing a system to increase program participation of underserved populations of eligible children; and

''(12) coordinating activities and collaborating to ensure that curricula used in the Head Start program is aligned with—

''(A) State early learning standards with regard to cognitive, social, emotional, and physical competencies that children entering kindergarten are expected to demonstrate; and

''(B) the Head Start Child Outcomes Framework developed by the Secretary.''.

Page 87, line 21, strike ''10'' and insert ''11''.

Page 88, line 10, strike ''Standards'' and insert ''standards''.

Page 90, line 21, after ''into'' insert ''within 30 days''.

Page 96, strike line 6 and all that follows through page 98, line 21.

Page 105, strike line 6 and all that follows through page 106, line 3, and insert the following:

''SEC. 645B. PARENTAL CONSENT REQUIREMENT FOR HEALTH CARE SERVICES, INCLUDING NONEMERGENCY INTRUSIVE PHYSICAL EXAMINATIONS.

''(a) DEFINITIONS.—For purposes of this section:

''(1) The term 'health care service' includes—

''(A) any nonemergency intrusive physical examination; and

''(B) any screening, included but not limited to, a medical, dental, developmental, mental health, social, or behavioral screening.

''(2) The term 'nonemergency intrusive physical examination' means, with respect to a child, a physical examination that—

''(A) is not immediately necessary to protect the health or safety of such child, or the health or safety of another individual; and

''(B) includes incision or is otherwise invasive, or includes exposure of private body parts.

''(b) REQUIREMENT.—Before administering any health care service to a child (or referring a child to obtain such service) in connection with participation in a program under this subchapter, a Head Start agency or an entity that receives assistance under section 645A shall obtain the informed written consent of a parent of such child indicating consent for each specific health care service to be performed.

''(c) RULES OF CONSTRUCTION.—

''(1) Nothing in this section shall be construed to prohibit a Head Start agency or an entity that receives assistance under section 645A from using established methods for handling cases of suspected or known child abuse or neglect that are in compliance with applicable Federal, State, or tribal law.

''(2) Nothing in this subchapter shall be construed to permit a Head Start agency, an entity that receives assistance under section 645A, or the personnel of such agency or entity to administer any health care service to a child (or to refer a child to obtain such service) without the informed written consent of a parent of such child indicating consent for each specific health care service to be performed.

''(3) Nothing in this section shall be construed to require a Head Start agency or an entity that receives assistance under section 645A to provide separate consent forms for each specific health care service.''.

Page 106, line 20 through page 108 line 2, strike section 17 and insert the following:

SEC. 17. AUDITS.

Section 647 of the Head Start Act (42 U.S.C. 9842) is amended by adding at the end the following:

''(c)(1) Not later than 270 days after the end of each fiscal year, each Head Start agency and each entity that receives assistance under section 645A shall, with financial assistance provided by this subchapter—

''(A) undergo a single audit under the requirements of the Single Audit Act and submit its financial statement audit and compliance audit of Federal assistance to the Secretary and to the Federal Audit Clearinghouse an independent financial audit of the Head Start program if subject to the Single Audit Act Amendments of 1996; or

''(B) undergo a financial statement audit in accordance with the generally accepted government auditing standards issued by the American Institute of Certified Public Accountants and Government Auditing Standards issued by the Comptroller General of the United States, if not subject to the Single Audit Act.

''(2) Audits described in subparagraph (A) and (B) shall be carried out by an auditor selected through a competitive process by the board described in section 642(b)(4) except when conducted by the State auditor as required by State law.

''(3) No audit partner shall perform audits of such agency for a period exceeding 5 consecutive fiscal years except when such agency notifies the Secretary that rotation is not possible because an alternate audit partner is not available or would present a significant challenge to the agency.

''(4) Not later than 60 days after receiving such audit, the Secretary shall provide to such agency or such entity, and to the chief executive officer of the State in which such program is operated, a notice identifying the actions such agency or such entity is required to take to correct all deficiencies identified in such audit.

''(d) Each recipient of financial assistance under this subchapter shall—

''(1) maintain, and annually submit to the Secretary, a complete accounting of its administrative expenses (including a detailed statement identifying the amount of financial assistance provided under this subchapter used to pay expenses for salaries and compensation and the amount (if any) of other funds used to pay such expenses); and

''(2) provide such additional documentation as the Secretary may require.''.

Page 111, line 5, insert ''and Indian Head Start programs'' after ''programs''.

Page 111, line 6, insert ''the Indian Head Start Collaboration Director,'' after ''Collaboration,''.

Page 111, line 7, insert '', including tribal governments'' after ''appropriate entities''.

Page 111, line 10, insert ''and Indian'' after ''seasonal''.

Page 111, line 15, insert ''and Indian'' after ''seasonal''.

Page 111, line 22, insert ''and American Indian and Alaska Native students'' before the period.

Page 112, line 14, insert ''American Indian and Alaska Native children'' after ''farmworkers,''.

Page 112, line 22, insert ''and Indian'' after ''seasonal''.

Page 113, line 1, insert ''by the Indian Head Start Collaboration Project Director,'' after ''Director,''.

Page 116, line 20, strike ''(7)'' and insert ''(8)''.

Page 116, line 22, strike ''(8)'' and insert ''(9)''.

Page 116, line 24, strike ''(9)'' and insert ''(10)''.

Page 122, line 22, strike line 21 through page 123, line 6, and insert the following:

(1) by amending the first sentence to read as follows: ''At least once during every 2-year period, the Secretary shall prepare and submit, to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate, a report concerning the status of children (including disabled, homeless, and limited English proficient children) in Head Start programs, including the number of children and the services being provided to such children.''; and

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentleman from Delaware (Mr. CASTLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Delaware (Mr. CASTLE).

□ 1315

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

I am pleased to offer this amendment which I indicated was drafted on a bipartisan basis. Specifically, the amendment would revise the financial audit language to ensure that financial audit requirements for Head Start programs are consistent with those required under the Single Audit Act Amendments of 1986; that it builds on parental consent requirements included in H.R. 2123 as reported, to further clarify that any health service available to children in Head Start may not be performed without the prior written consent of the parent; and included a number of technical and conforming amendments.

To the best of our knowledge, there is no dispute about this, and the details of it can be discussed at further length if anybody wants.

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

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

I want to thank the subcommittee chairman, the gentleman from Delaware (Mr. CASTLE), for his hard work on this bill. This language has been negotiated, and we have no objections to the amendment.

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

Mr. CASTLE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. BASS). The question is on the amendment offered by the gentleman from Delaware (Mr. CASTLE).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 109–229.

AMENDMENT NO. 2 OFFERED BY MR. SOUDER

Mr. SOUDER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. SOUDER:

Strike page 71, line 22 through page 77, line 13, and insert the following:

''(4) Implement a system of shared governance for oversight of the Head Start program, which includes the following:

''(A) An independent board of directors selected from among eligible individuals who shall serve on the board of directors (or may designate an existing entity whose members are eligible individuals, that shall be such board) for a period not to exceed 5 years, except that board members who oversee a public entity and who are selected by election (or members of a board of a local educational agency or a local council, appointed by an elected official or an official of a general purpose local government), may serve for such period as may be determined by the electing or appointing authority, as the case may be. An individual who has a conflict of interest is ineligible to serve as a member of the board of directors. Members of the board of all nonpublic entities shall include representatives of the local community (including at least 1 member with significant financial management or accounting experience and the chair of the council described in section 642(b)(4)(B)). Additional members shall be selected for their expertise in education, business administration, community affairs, government, legal affairs, and such other areas of expertise as may contribute to effective governance of the Head Start agency. All members of the board of directors shall adopt practices that assure active, independent and informed governance of the Head Start agency, including independent oversight of the financial and management practices of such agency. The board of directors shall provide direction to the executive director of the Head Start agency and shall operate as an entity independent of staff employed by the head Start agency, entity, or applicant and have the following duties and responsibilities:

''(i) To provide independent oversight to ensure that the Head Start agency under the direction of the executive director is delivering high quality services to children and families in compliance with all applicable standards in effect under this subchapter and with the applicable performance measures established by the Secretary under section 644.

''(ii) To establish 1 or more standing committees to facilitate governance of the Head Start agency which shall include the following: an audit and finance committee whose primary responsibility shall be—

''(I) to approve annually the operating budget of the Head Start agency;

''(II) to review and recommend to the board of directors the selection of independent auditors who shall report all critical accounting policies and practices to the finance and audit committee;

''(III) to review and recommend to the board of directors the termination or extension of the existing audit firm at least once every 5 years;

''(IV) to review and advise the board of directors of the audit management letter provided pursuant to the chapter 75 of title 31 of the United States Code, and of any audit findings; and

''(V) to monitor agency actions to correct any such audit findings or other actions necessary to comply with applicable laws (including regulations) governing financial statements and accounting practices.

''(iii) To approve the selection and dismissal of the Head Start director, and to review annually the human resources available to ensure the effective operation of the Head Start agency.

''(iv) To consult on a regular basis, with the policy council and to take actions on recommendations submitted by such council.

''(v) To review and approve the major operational policies of the Head Start agency, including policies addressing accounting, financial management, procurement, record confidentiality, and personnel (including specific standards governing salaries, salary adjustments, travel and per diem allowances, and other employee benefits)

''(vi) To ensure that the Head Start agency is operated in compliance with applicable Federal, State, and local laws (including regulations), and to monitor agency implementation of any corrective action necessary to comply with applicable laws (including regulations);

''(vii) To oversee the program planning of the Head Start agency, including adoption of the Head Start agency philosophy and mission statement, adoption of policies for determining community needs, setting long- and short-range goals and objectives, establishment of criteria for selecting families in Head Start programs or Early Head Start programs, and to oversee and approve the agency's applications to receive funds made available under this subchapter; and

''(viii) To establish, to adopt, and to periodically update written standards of conduct that establish standards and formal procedures for disclosing, addressing and resolving—

''(I) any conflict of interest, and any appearance of a conflict of interest by board members, officers, employees, consultants, and agents who provide services or furnish goods to the Head Start agency; and

''(II) complaints, including investigations, when appropriate.

''(ix) To develop processes, in consultation with the policy council, to resolve internal disputes in the instance when the board of directors and the policy council have reached an impasse on an issue of dispute relative to matters of joint governance.

''(x) In all matters of serious fiscal mismanagement, fraud, or criminal activity, the board of directors will have discretionary authority to act unilaterally without policy council approval.

''(B) A policy council, a majority of whose representatives shall be parents of children participating in a Head Start program or in an Early Head Start program, or of children who participated in an Early Head Start program in the then most recent 5-year period preceding the selection of the particular representative involved, and whose primary responsibilities shall be to serve as a link between parents and the board of directors and to share joint responsibilities with the board of directors in making recommendations and approving or disapproving the following program planning and operation activities:

''(i) Program planning, including—

''(I) program design and management, including long and short-term planning goals, all funding applications and amendments to funding applications and objectives based on the annual community assessment and self-assessment;

''(II) program recruitment, selection, and enrollment priorities;

''(III) budget planning for program expenditures, including policies for reimbursement and participation in policy council activities; and

''(IV) the operating budget of the Head Start agency.

''(ii) Program operation policies, including standards of conduct for program staff and volunteers, and policies governing employment and dismissal of program staff.

''(iii) Selection and dismissal of the Head Start director and program staff.

''(iv) Activities to support the active involvement of parents in supporting program operations.

''(v) Classroom activities and staffing.

''(vi) Program responsiveness to community and parent needs.

''(vii) Processes to resolve internal disputes in the instance when the board of directors and the policy council have reached an impasse on an issue of dispute relative to matters of joint governance.

''(vii) Other areas the council identifies as necessary to improve program operations.

''(C) Training for all members of the board of directors and policy council in the management responsibilities and obligations, ethics, and financial literacy and management.''.

Page 78, line 6, strike ''section 642(b)(4)(B)(ii)'' and insert ''section 642(b)(4)(B)''.

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentleman from Indiana (Mr. SOUDER) and the gentleman from Ohio (Mr. BOEHNER) each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I yield myself 2½ minutes.

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

Mr. SOUDER. Mr. Chairman, first I want to again thank the chairman for making my amendment in order. Let me give a very short history, and then I will elaborate a little further.

After the Great Society was less than sensitive to many urban areas in the United States, empowerment movements developed in America, led actually by a leftist named Sal Olinsky, that said local people, when they are being displaced, ought to have more input into the decisions that are being made in their lives. This happened originally in Chicago and it is something that we are looking at doing in New Orleans in the name of empowerment.

We saw, when the Republicans came to power in the 1980s and to the Presidency, President Reagan put Jack Kemp in charge of HUD, Housing and Urban Development, and we had tenant management and resident management moving to homeownership and we said, let the people make the decisions themselves. Sometimes it was messy. Sometimes we did not really like their decisions, just like sometimes we do not necessarily agree with the people who they elect to Congress; but we let the people make the decisions.

Head Start, when it came in the 1970s as part of Richard Nixon's efforts to block grant, to give more local empowerment to react to the programs of the 1960s, the heart and soul of this program was to say, we are going to let the parents, in these preschool situations, in these low-income situations, we are going to let them make the decisions. It is not going to be like PTAs in schools where often they become fund-raising supplements and they are allowed to give their opinions, but they have no vote. We are going to let them actually vote. When you go into Head Start programs, they get to vote on what they are going to serve for lunch, they get to vote on the textbooks, they get to hire and fire the teachers.

This bill, unfortunately, because of a broader concern about how to address some of the problems in Head Start, removes the voting rights, the actual powers of those parents. Not because of any GAO report. Not because the GAO report says there is a problem with the parents. There is no reference to the parents in the GAO report, other than one. It says the tips of financial mismanagement came from the parents. It is not because of the boards because, in the GAO report, the boards are only mentioned twice, because they had financial problems.

The underlying part of the bill addresses the financial difficulties that we have, and we have added in our amendment to make sure that fraud is actually addressed because there the board has legal liability if there is fraud, but not what is being served for lunch or what textbook or even who is hired and fired. They have legal liability for fraud. That is already granted. But we made it clear that the board has the legal liability on fraud and they have the decision-making power on fraud.

I somehow think that we have drifted into this policy that we think we know better than the people who are making the decisions themselves. How are we going to move ahead in New Orleans with this attitude? We cannot one week strip the number one empowerment program in America, and the next week say we are going to empower in New Orleans.

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

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

Mr. Chairman, I appreciate the amendment offered by my friend, the gentleman from Indiana, a member of our committee. It is over a very sensitive issue of how to deal with the parent councils. Under the current law, the current practice, these parent advisory councils have actually had veto authority over the decisions of the Head Start grantee.

Now, there is no one in this House who believes more in empowering parents to be active participants with their children, active and empowered parents with Head Start programs. But we have seen a number of problems in Head Start programs, from financial abuses to very poor results for children; and the gentleman from California (Mr. GEORGE MILLER) and I have worked closely to develop this bill and to develop this proposal that continues to allow parents to be actively involved.

It still requires the grantees to urge parents to be involved; but we do it, though, in a strictly advisory capacity. They are still going to play a big role. The only difference here is the veto power: whether, in fact, the parent councils can veto the decisions of the board or the management.

Now, this bill came out of committee 48 to nothing with the language that we are trying to preserve. I appreciate my colleague from Indiana coming along at the eleventh hour, wanting to change it, but the fact is that the committee endorsed the underlying language, and I would ask my colleagues to reject this amendment.

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

Mr. SOUDER. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, there was no testimony at any hearings about this subject. The only reference in the hearings, I believe, was actually on the Senate side from the deputy mayor of Memphis who complained that he did not have decision-making powers to make some changes that he wanted to make, but it was not financial abuse or financial waste. I have asked the committee staff, as well as the chairman, to come up with an example. There is not an example.

There are problems in the whole system; but mostly it is the grantees and the board that have been the problems. The board is not as engaged like the parents. In this case, it is not a question of whether the parents have veto power. The parents have the power, the board has shared power, and the parents have the primary power, the board has the veto power. The parent council is 51 percent parents, 49 percent community leaders who are actively engaged. The board tends to be leading citizens of the community who come in and review that.

We are gutting, for a pat on the head, saying we like your opinion, but not your vote. You are not good enough to vote, but you are good enough to give your opinion.

This is an empowerment program by the people who are running it, it has worked well, and we should not change it.

Mr. BOEHNER. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER), the ranking Democrat on the committee.

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in opposition to this amendment.

What we tried to do in the committee bill is to make sure that there was a clear line of accountability on some of these fiscal matters. We struggled long and hard on this committee with the question of fiscal management and mismanagement of a number of these programs. While the vast majority of Head Start programs are well-run programs that provide excellent services, the services that we have come to expect from those programs on behalf of these children in Head Start, we have had some problems.

This is not about reducing the parents' role. It is about increasing the accountability, increasing the accountability of this board, so they will understand the gravity of the situation, which they have. We have also strengthened the parent policy council to be involved in all aspects of program authorization, and we require that the board act on those priorities. Whether they agree or disagree, they must act on it.

The fact of the matter is, I think many, many people involved in Head Start believe that this is a very substantial improvement that will avoid the kinds of problems that we have seen in the past that have drained resources from this agency, taken away from the services provided to these children.

Parents have been an integral part of this program from the beginning, they continue to be, and, in fact, their position is strengthened in this legislation. But we must deal in a forthright manner with this question of fiscal accountability, and we are making those boards more accountable in this legislation; and I hope that we would reject the Souder amendment.

Mr. SOUDER. Mr. Chairman, I yield 1 minute to the gentleman from Florida

(Mr. KELLER), a member of the Committee on Education and the Workforce and a leader on education issues.

Mr. KELLER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, the Head Start bill before us today is a good bill, I plan on voting for it, but I also believe that the Souder amendment will make it an even better bill by restoring the full authority of the parent policy councils in the Head Start program.

Currently, Head Start programs across the country are jointly governed by a board of directors made up of experts and by a policy council made up of parents. Regrettably, the Head Start reauthorization bill before us fundamentally changes the authority of the parent policy councils. Specifically, it removes their ability to vote on program policy and instead makes them merely an advisory committee to the board. Well, who knows what is best for kids, the parents who are with them every day, or the bureaucrats and politicians who live 1,000 miles away?

Clearly, the parents are in the best position to know what is best for the children, and I do not have to guess about that. On August 8, 2005, I personally met with 120 Head Start parents in Orlando, Florida. They told me they were concerned about the reduced role of the parent policy councils under this bill, and they wanted to restore the voting authority. That is what the Souder amendment does. I urge my colleagues to vote ''yes.''

Mr. BOEHNER. Mr. Chairman, I reserve the balance of my time.

Mr. SOUDER. Mr. Chairman, I yield myself the balance of the time.

Let us make this absolutely clear. Advice is nice. We just went through this in high-intensity drug trafficking areas where we tried to take the voting power away and we resisted that in Congress.

Power comes from voting, not advise. This strips the parents of their power and lets them give their opinions. This is a tremendous reversal for either side of the aisle to make of the number one parent advisory program in America. There are not financial problems with the parent councils. The financial problems were with the agencies that were granted to and the boards. For fraud, they need to be held accountable. This bill does that. Do not take the power away from the parents.

I have also received these letters which help explain my concerns.

DEAR MR. MARK SOUDER: My name is Chris Wallace Sr. and I am a parent of 3 children. Two of which have been enrolled and ongoing participants in CANI's Headstart program, my third child is going into her 2nd grade year with Adams Elementary, Fort Wayne Community Schools. I am currently the Policy Council President, and the Vice-President of MILC (Males Involved Leading Children), and my wife and I are repeatedly volunteering for CANI (in-kind). I have received the Volunteer of the Year Award from CANI, and I have also received a Certificate of Recognition from the City of Fort Wayne, for my ongoing commitments with CANI. Currently I am looking forward to another successful year with my involvement with CANI, MILC, and introducing MILC along with All Pro Dads into the Fort Wayne Community school system.

Which brings me to my disappointment with the news that some of these programs, most importantly the parent involvement initiative may be withdrawn from CANI's Headstart programs. I would like for you and those involved with this decision to understand the importance of parent involvement. It has not only allowed for me to be more involved in the decisions that affect my children, it has also allowed me to be involved in some of the decisions that affect my community. These programs allow parents to understand more how important education, family and social development is to their family, and the community around them. I believe that these programs empower parents, and give them leadership skills that they may never learn elsewhere. I can attest to this, for I have learned many leadership, mentoring, and role model skills. I also have learned how important I am to the community and the development of my children, and my peers children.

I believe it would be an injustice to take this away from so many who are currently involved and those in the future that have yet to benefit. Please pass on our plea, meaning the parents, employees, and even more important our children, that you work for keeping the current programs well established within CANI's Headstart program. This will continue to allow us to provide a good start to our future leaders.

On behalf of parents of CANI Headstart.

Sincerely,

CHRIS WALLACE, Sr.,
Parent, Volunteer.

SEPTEMBER 18, 2005.

Re Head Start Reauthorization.

Hon. MARK SOUDER,
E. Ross Adair Federal Building,
Fort Wayne, IN.

DEAR CONGRESSMAN SOUDER: I am writing to urge you to support the restoration of full authority to Parent Policy Councils in Head Start reauthorization legislation. It is my observation that parents provided with a meaningful governing role in their children's Head Start education gain valuable skills that will help them to proactively support their children's education in elementary, middle, high school and beyond.

The personal growth of parents involved in the Head Start Program is a natural consequence of their participation in Head Start governance. Weakening or eliminating this role will eliminate a valuable training resource for parents and will make them less effective in supporting their children's future education.

I have been a community representative on the CANI Head Start Policy Council in Fort Wayne for two years. One of the most rewarding benefits of my participation on the Policy Council has been to watch the growth and development of the Male Involvement Committee. This group provides many opportunities for fathers, grandfathers, uncles and other adult males to interact significantly with their children in positive ways. This is particularly significant in low-income communities where children need positive adult male role models.

Thank you for your consideration of these issues. I hope that my views will be addressed in your vote for the reauthorization of Head Start.

Sincerely,

BARBARA L. JONES.

INDIANA PTA,
Hammond, IN, July 11, 2005.

TO WHOM IT MAY CONCERN: I am writing about the Head Start Program and its importance to families.

The Head Start Program is a vital part of the education process. The program offers opportunities early in the lives of children to build skills that will be needed in school and in life. Research shows that the sooner children are in a structured educational environment; the better their performance is throughout their formal education.

I became involved in Head Start in 1995 when my son entered the program and have continued to volunteer/work with Head Start though the years. I have served as a site chairperson, a member of the Policy Committee and currently serve as a Community Representative. It is because of the parent involvement component of the Head Start Program that parent involvement became so important in my life. It is because of these beginnings that I continue to advocate for children on all levels.

For many families, access to Head Start is the only way for their children to have any type of educational experience prior to elementary school. Many of these children continue on to Kindergarten because they have a head start in education and their parents realize how important early intervention is. Since kindergarten is not mandated in Indiana, many children come to school for the first time when entering the 1st grade. These children are not ready to work at their grade level and come to school at all developmental levels.

As president of the Indiana PTA, I know how important the Head Start Program is to children and families. It is critical that services like this continue and be adequately funded for our children. It is important that monies be made available for Early Intervention efforts across the board. If we don't take care of our children today . . . our children won't take care of us tomorrow. Some of the issues that Indiana PTA will be focusing on are: Early Intervention, Literacy; Parent Involvement, Advocacy and Drug Use.

Respectfully,

DEE JONES,
President.

Mr. BOEHNER. Mr. Chairman, I am pleased to yield the balance of my time to the gentleman from Delaware (Mr. CASTLE), the chairman of the subcommittee and the author of the bill.

Mr. CASTLE. Mr. Chairman, I totally oppose this amendment, and I oppose the statements which have been made here that it takes away from the parents, the rights they may have. Basically, what our bill does is reinstate the parents council where it was always supposed to be.

Dr. Edward Zigler, who is opposed, by the way, to some things that I was for in the past, so I do not always quote him, but he is widely credited as the Father of Head Start, and many people follow him here, and he stated with respect to the policy council: ''I created and implemented the policy councils in the early 1970s. The time was past due to take a fresh look at the government issue. In fact, I very much like that the House bill keeps in place the policy council with the role I had in mind for it, while putting above it a board of directors with what I see to be some good requirements for membership on this board. I like the synergism that you have built between the board and the policy council,'' said Zigler's letter.

I think this is the right governance for our Head Start operations in the United States of America. I would encourage everyone here to listen carefully, as it is very easy to say, oh, give the authority to the parents. The bottom line is they will be involved and engaged, but the board will make the decisions. That is the way it should be. I urge the defeat of this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. SOUDER).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. SOUDER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana (Mr. SOUDER) will be postponed.

It is now in order to consider amendment No. 3 printed in House Report 109–229.

AMENDMENT NO. 3 OFFERED BY MS. DELAURO

Ms. DELAURO. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Ms. DELAURO:

Page 87, line 4, strike the close quotation marks and the period at the end.

Page 87, after line 4, insert the following:

''(11) Head Start agencies may develop or maintain partnerships with institutions of higher education and non-profit organizations that recruit, train, place, and support college students to serve as mentors and reading coaches to preschool children in Head Start programs.''.

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentlewoman from Connecticut (Ms. DELAURO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut (Ms. DELAURO).

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

Mr. Chairman, for four decades, Head Start has provided comprehensive child development, literacy, family services to more than 18 million preschoolers from low-income and working poor families. It is a proven success. Head Start graduates are less likely to need special education services, to be held back a grade, or to get in trouble with the law. They are more likely to go on to college and to have professional careers. It is unquestionably the most effective early childhood development program ever developed.

For all the program's success, we know that even the best teachers struggle with overwhelming class sizes, particularly with young children, and Head Start's 10 to 1 ratio of students to teachers in the classroom presents clear challenges in helping Head Start children gain the cognitive skills other children have.

That is why this amendment, allowing Head Start centers to recruit and train college students as mentors, reading mentors for preschool children, is so needed.

□ 1330

We all know the benefits of mentoring, whether it is after school, on weekends, or during the school day, mentoring programs change young peoples' lives. There is a proven link between mentoring and reduced substance abuse later in life and improved academic achievement.

And of course the benefits of mentoring are mutual. Some of the college student mentors in this initiative will even become Head Start teachers themselves some day. That is what we have seen in one program which deploys 2,100 college students who devote 15 hours per week during the school year to mentor Head Start students. That program is also a proven success.

I want to be clear, my amendment would not replace the specialized work of Head Start teachers. There is no substitute for the work of a qualified, trained teacher, nor would anything in this amendment require local Head Start centers to offer mentoring programs.

Head Start grantees would have the chance whether or not to start a mentoring program for Head Start children. Mr. Chairman, with this amendment we are simply seeking to supplement the remarkable work of our Head Start teachers in a way that allows for children to learn at their optimum capacity.

It allows Head Start teachers to make the greatest impact possible. And that is why I urge my colleagues to support this amendment.

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

Mr. BOEHNER. Mr. Chairman, I do not oppose the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN (Mr. BASS). Is there objection to the request of the gentleman from Ohio?

There was no objection.

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

Mr. Chairman, the gentlewoman from Connecticut (Ms. DELAURO) brings a very good amendment to this debate. And I certainly support the good work of Jump Start and think that the amendment that she offers makes a valuable contribution to the bill.

Mr. Chairman, I yield the balance of my time to the gentleman from Ohio (Mr. REGULA), the chairman of the Labor-HHS Subcommittee of the Committee on Appropriations, and the Dean of the Ohio Delegation, for general remarks on the bill.

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

Mr. REGULA. Mr. Chairman, I rise in strong support of the School Readiness Act. Let me first begin by recognizing the tremendous efforts of my colleagues, the gentleman from Ohio (Mr. BOEHNER) and the gentleman from Delaware (Mr. CASTLE) in crafting a good bill.

As a former teacher and elementary principal, I am aware of the necessity of a first-rate education and need to ensure that children have adequate skills before entering kindergarten.

As chairman of the Labor-HHS-Education Subcommittee of the Committee on Appropriations, funding Head Start in the amount of $6 billion, this bill will achieve a better use of those moneys. For over four decades the Head Start program has provided comprehensive early childhood development services to low-income children.

By providing educational, health, nutritional, social and other services to the most needy in our society, this program prepares children to enter kindergarten and to improve the conditions necessary for their success in later school and life.

Head Start strongly emphasizes the involvement of families in the local community to ensure that the programs are responsive to the unique needs of each community. As you know, in the aftermath of Hurricane Katrina, the Head Start Bureau has urged all of its grantees to provide Head Start services to any displaced children and families now in their communities. Very important, so they do not fall behind.

As successful as Head Start has been, I believe that the program can be even more successful by maintaining the comprehensive services already provided and enhancing the academic component. Consistent with the goal of strengthening this program, H.R. 2123 will help to eliminate financial mismanagement by increasing the competitive nature of the current program. The competition requirements are intended to help drive program improvement across the board and to ensure that the $6 billion we spend is spent constructively and wisely.

Mr. Chairman, I would like to emphasize that a good education is the cornerstone for success in life and that it is critical to have the basic skills to build the foundation before entering kindergarten. We have found a large dropout problem in our inner-city schools, in some cases exceeding 50 percent. In fact, the national average is 32 percent. And this is a terrible waste of human resources.

In many cases, the students dropping out cannot read at beyond the elementary school level, and see no reason to stay in school when they cannot keep up with the school work. The problems of dropouts and illiteracy do not begin in high school. They manifest themselves in high school, but they begin in elementary and pre-elementary.

These problems begin in the school when the students fall behind their classmates in the early years, because they did not start with the same skill sets. We need to ensure that these students have an equal start, and H.R. 2123 will help us in the mission.

Ms. DELAURO. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I thank the gentlewoman from Connecticut (Ms. DELAURO) for offering this amendment, and the gentleman from Ohio (Mr. BOEHNER) for supporting it.

Mr. Chairman, helping Head Start centers develop with college students, students who will then help young children when they are learning to read, certainly will help those children. But also it is going to encourage more students at the college level to become and remain Head Start teachers.

Anything that accomplishes both of these goals is worth doing. And I support the amendment.

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

Mr. Chairman, in closing, let me just say that I am excited about the opportunity for this amendment, because I think that we can create a partnership with the Head Start program and with our college students. And the beneficiaries are our youngsters.

And we give an opportunity to college students to be stakeholders in an education process. It keeps them involved in their community. It keeps them involved in public life. And they have so much to offer and to give, and then couple that with the tremendous work of the Head Start teachers.

So with that, I would urge my colleagues to support this amendment.

Mr. LARSON of Connecticut. Mr. Chairman, I rise today in strong support of the amendment offered by my distinguished colleague, the gentlewoman from Connecticut (Ms. DELAURO) that would allow Head Start centers to partner with colleges, universities and community-based organizations to recruit and train college students to serve as mentors and reading coaches to preschool children.

Early childhood is a critical time for children to develop reading, language and cognitive skills. For 40 years, Head Start has worked to increase the overall school preparedness for the Nation's young children in low-income communities. As Congress moves forward to reauthorize Head Start and make a number of changes, the reauthorization should include meaningful programming to improve the offerings of Head Start programs. This amendment, that allows Head Start centers to partner with an institution of higher education or a community-based organization in order to recruit and train college students to serve as mentors and reading coaches to preschool children, and would allow children to receive the personal instruction and attention they need to be successfully prepared for school.

One-to-one learning is a proven teaching method that strengthens cognitive skills in young children. Mentors provide children with the additional support they need to boost comprehension and self-confidence. Back home in my district in Connecticut, the Jumpstart Hartford program is an excellent example of this type of comprehensive learning partnership. Jumpstart Hartford, in partnership with the University of Hartford, facilitates one-on-one instruction with students from the University and young children from low-income families in Hartford. The program places special focus on developing stronger language, literacy, social and initiative skills. The program has made significant gains in narrowing language and literacy gaps with its young children.

Mr. Chairman, I urge my colleagues to support the DeLauro amendment that would allow mentor partnerships in Head Start and make real progress towards preparing all children in Head Start for success in school and throughout life.

Ms. DELAURO. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 109–229.

AMENDMENT NO. 4 OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. STEARNS:

Page 110, line 7, after ''families,'' insert ''families with one or more children with disabilities,''.

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentleman from Florida (Mr. STEARNS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS).

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

Mr. Chairman, the Individuals with Disabilities Act and the 1998 Head Start Act simply required Head Start programs to reach out to families who have children with disabilities. Including children with disabilities in Head Start programs can be a rewarding experience for all involved: children, parents, and of course Head Start employees.

But the linchpin for success with inclusion is proper training of employees to care for the children's unique needs. However, the underlying legislation I think perhaps can be strengthened in this area.

My amendment would simply do that. How? Include families who have one or more children with disabilities in the list of training course subjects the Secretary is directed to provide for Head Start training employees so they can cope with that. I know firsthand, personally, both the victories and pitfalls of families who have dealt with children with learning disabilities.

I know the worry and concern parents feel when they entrust the most precious being in their lives to the care of a stranger. Head Start personnel need to be trained, my colleagues, to mitigate these many concerns, and of course to provide meaningful guidance when a family faces a new challenge.

So families with children with disabilities need support. Proper training of Head Start employees will enable them to anticipate possible challenges, evaluate the current difficulties that they may or may not have, and will educate the employees in current strategies and resources which are available to parents.

For parents' piece of mind, it is imperative that those individuals caring for their children are simply equipped to handle any situation that may arise in that classroom. If not convinced, they will not send their child to the Head Start program, which would deprive the child from needed preparation for school.

Now, for Head Start teachers, training will equip them with the necessary tools, of course, to be successful. Many human resources studies show the most common cause for dissatisfaction with a job is when employees feel ill equipped to meet the goals that are expected of them.

Now this dissatisfaction is compounded for educational professionals, because when they fail to meet their goals, they feel they have failed the child. With proper training, teachers will feel empowered. They will have greater understanding of the underlying issues causing difficulty for that child and will be armed with a strategy to help them so they can ultimately succeed.

Training can make that experience teaching children with disabilities a positive one instead of a negative one. Now, there was a teacher who did not feel properly trained, for example, to teach a child with disabilities. When required to include a student with disabilities in her classroom, she then received the necessary training to do it. As a result, and this is a good clear example, this is what she said. ''Ronnie is truly my most favorite student and my greatest accomplishment.'' Now that is a learning disability student. Bear with me here. ''Thanks to him, I cannot wait to get to school every morning to see what he has learned today. Thanks to him I feel proud to be a teacher again. On November 3, 2001, I never thought anything good could come out from having him in my class. Little did I know that he would be a great blessing for which I will always be thankful.''

Our children deserve effective teachers. Children with a disability generally do not respond well to change. We all know that. School is an enormous change that needs to be adequately prepared for. When starting school, they enter that simple, unknown world that scares them.

Many of the expectations are new. Directions from the teachers do not make sense. They feel out of control themselves and they feel sort of helpless. Teachers can ease that child's anxiety, see when they are feeling overwhelmed, and simply provide support, and, more importantly, guidance.

They are also able to give children specific strategies to handle these feelings, their feelings on their own, so that they in turn will feel more in control.

By attending Head Start programs staffed with trained professionals, children will experience less stress, be more comfortable with their peers, accustom themselves with the behavioral expectations of classrooms, and learn strategies to deal with the inevitable distractions that are in a school setting.

These are vital skills for them to learn at any time. And by learning them before beginning school, they will be better focused, more and better equipped to learn.

Mr. Chairman, I urge my colleagues to support my amendment. Provide Head Start employees with the training they need to support families and children with disabilities.

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

Mr. CASTLE. Mr. Chairman, I do not oppose the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Delaware?

There was no objection.

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

Mr. Chairman, I would like to say how strongly I personally, and I hope all of us would support the Stearns amendment. I think it makes a tremendous amount of sense.

This amendment, the one before it, and a couple of others we have I think actually truly improve the bill. They are not just amendments we are accepting, but they are amendments which indeed make the bill better.

The gentleman from Florida (Mr. STEARNS) has pointed out, in my judgment, a significant problem in education. I think it is greater as you deal with lower-income children, to even a greater extent than perhaps it is with other children, and as a result of that, I think such training is absolutely in order.

So I would like to thank the gentleman for that and I would like to congratulate him for thinking of the idea. Certainly I am in support of the amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS.)

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. STEARNS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida (Mr. STEARNS) will be postponed.

□ 1345

The Acting CHAIRMAN (Mr. BASS). It is now in order to consider amendment No. 5 printed in House Report 109–229.

AMENDMENT NO. 5 OFFERED BY MR. DAVIS OF ILLINOIS

Mr. DAVIS of Illinois. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. DAVIS of Illinois:

Page 110, after line 19, insert the following new subsection (and redesignate subsequent subsections proposed to be added by the relevant provision accordingly):

''(h) The Secretary shall develop and implement an outreach program to train and recruit African-American and Latino-American men to become Head Start teachers in order to increase the provision of quality services and instruction to children with diverse backgrounds.''.

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentleman from Illinois (Mr. DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I know that there are many people who believe that good teachers are good teachers and wherever good teaching takes place learning will also occur. And I believe that teaching is the most noble of all professions that exists on the face of the Earth, because when you teach, you bind yourself to someone else and they often bond and bind themselves to you and a transference of learning often takes place that way.

My amendment addresses the fact that there are so few African American and Latino males teaching Head Start and we need to do something about that. My amendment instructs the Secretary of HHS to develop a recruitment and training program to help get rid of this absence of male African American and Latino teachers.

I have observed that many African American and Latino boys go through all of elementary school never having access to a male black or Latino teacher. As a result of that, many of them grow up with the idea that education is not for them, that it is a female thing, that it is a woman thing, that it is a girl thing. And they drop out at third and fourth grades because psychologically and emotionally and experientially they have decided that this is not the way to go.

This amendment need not cost a great deal of money at its onset; but it will, in fact, prevent a rise in drop-out rates. It will, in fact, prevent many of the ills and social problems that we encounter today as a result of the high number of boys who drop out of school.

I would urge support for this amendment.

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

Mr. CASTLE. Mr. Chairman, I do not oppose the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Delaware?

There was no objection.

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

Mr. Chairman, I do rise in support of the Davis amendment. I believe this is one that improves our legislation.

The amendment supports outreach efforts to train and recruit African American and Latino American men to become Head Start teachers. Any such teachers would still be required to meet teacher qualification requirements, of course, which are in the School Readiness Act.

The amendment would help to ensure African American and Latino American men are encouraged to become teachers, Head Start teachers. I think that is a goal that is very laudable, teachers in general, as a matter of fact.

This amendment supports these men to provide quality services and instruction to the many children with diverse backgrounds and participate in the Head Start program. That is absolutely true. That there are many people with diverse backgrounds in the Head Start program. It is important to understand this amendment does not create a new program. Instead, it directs the Secretary of HHS to support outreach to minorities. That is only correct and right, and for that reason I hope we would all support the Davis amendment.

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

Mr. DAVIS of Illinois. Mr. Chairman, I yield such time as she may consume time to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I thank my friend, the gentleman from Illinois (Mr. DAVIS), for offering this amendment and the gentleman from Delaware (Mr. CASTLE) for his support.

Approximately two-thirds of Head Start children are African American or Hispanic, but not nearly so many of their teachers are. The more diverse our teachers are, the better they will be able to understand the experiences of children in our evermore diverse society, and the better they will be able to help those children learn. And the children will also learn better because they will have models that they are missing in their lives right now.

I want to caution, however, any Member that cares about teacher diversity not to vote for the Boustany amendment because religious discrimination bears a direct relationship to race and ethnicity. It goes hand in hand. Think about that if you want diversity with your teachers.

This is an excellent amendment that is provided by the gentleman from Illinois (Mr. DAVIS) and I support it.

Mr. CASTLE. Mr. Chairman, I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I thank the chairman for supporting this amendment. We

have had a very good process I think in the Committee on Education and the Workforce in moving toward the reauthorization of Head Start. It is a good group of people to work with. It is a committee that I enjoy working with.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. DAVIS).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. DAVIS of Illinois. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois (Mr. DAVIS) will be postponed.

It is now in order to consider amendment No. 6 printed in House Report 109–229.

AMENDMENT NO. 6 OFFERED BY MR. KIND

Mr. KIND. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. KIND:

Page 122, after line 17, insert the following (and make such technical and conforming changes as may be appropriate):

(e) NATIONAL ASSESSMENET SYSTEM.—Section 649 of the Head Start Act (42 U.S.C. 9834), as amended by subsection (d), is amended by adding at the end the following:

''(j) NATIONAL REPORTING SYSTEM.—The Secretary shall temporarily suspend the implementation of the National Reporting System pending the completion of the recommendations required by subsection (h), and shall integrate such recommendations to develop a national assessment system, as appropriate, that will inform improving Head Start program success.''.

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentleman from Wisconsin (Mr. KIND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

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

Mr. Chairman, my amendment is very simple and straightforward. It would suspend the use and implementation of the National Reporting Service until the National Research Council of the National Academy of Sciences has an opportunity to conduct their study to determine what would be the proper measurements, standards, and assessments to be used with children at this age with different developmental stages in their life.

Mr. Chairman, I believe this is a very important issue because there has been a lot of outside expertise devoted to early childhood learning, and we are going to be taking measurements that they are done appropriately so we do not do any harm to them; and that is why I believe that what is in the bill right now calling for a National Academy study to be conducted so that the National Reporting System can use those recommendations for measurements and standards as we move forward will improve the quality of Head Start.

It was not so long ago, Mr. Chairman, when the National Research Council of the academy published a book called ''Eager to Learn, Educating Our Preschoolers.'' And in that publication they indicated why it is important for us to take the time and the energy to make sure that we get the measurements done correctly rather than wrongly.

In that book I quote their summary: ''All assessments, and particularly assessments for accountability, must be used carefully and appropriately if they are to resolve and not create educational problems. Assessments of young children pose greater challenges than people generally realize. The first five years of life are a time of incredible growth and learning. But the course of development is uneven and sporadic. The status of a child's development, as of any given day, can change very rapidly. Consequently, assessment results, in particular, standardized test scores that reflect a given point in time, can easily misrepresent children's learning.''

Now, when the National Reporting System was created, it was done internally. I do not believe that there was any consultation with us members of the committee, nor were any outside experts brought in for advice or consent or what standards and assessments should be used.

Shortly after the National Reporting System was implemented, the President then appointed his technical working group for the NRS. This was a group of outside experts. Even the technical working group trying to work with the National Reporting System has highlighted a lot of problems and deficiencies with the current system and is recommending changes to it.

That advice from the technical working group was recently backed up and supported by a May GAO report which found, among other things: ''If the test is to be used as a measure of program performance or assess changes in child outcomes, it is important to ensure that it is sensitive to the range of development typically demonstrated in Head Start. Based on our analysis and that of the technical working group and independent experts, we continue to believe that further study is necessary to ensure that the NRS results are reliable and valid and the results are appropriate for intended purposes.''

Mr. Chairman, we have had a lot of discussions in this committee. We have had a discussion during the hearings and markup of this bill. I have enjoyed working with the chairman of the committee and the ranking members of the appropriate committees in trying to resolve this issue. I think we can resolve it. I think it is the right direction to go with the amendment that I am offering. I hope my colleagues will support it.

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

Mr. BOEHNER. Mr. Chairman, I do not oppose the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

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

Mr. Chairman, I rise today in support of the amendment offered by the gentleman from Wisconsin (Mr. KIND).

The amendment would temporarily suspend a large-scale assessment of Head Start children while needed work is done to ensure that the test is suitable for Head Start children and until we have greater assurances that the results are accurate and used for appropriate purposes.

The Head Start National Reporting System developed by the Department of Health and Human Services is a standardized assessment administered at the beginning to all 4- and 5-year-olds enrolled in Head Start.

During the first year's administration, the National Reporting System was completed by nearly 437,000 preschool children participating in Head Start, including 35,000 children with disabilities and 125,000 children with limited English proficiency.

The NRS was developed with limited congressional authority and input and has been the subject of great concern by many child development and early childhood advocates. There was general agreement by early childhood experts on the value of the assessment, and I tend to agree with that; and children are assessed regularly in nearly every preschool program across the country, including all Head Start classrooms.

I, too, recognize that early childhood assessments play an important role in measuring children's progress in key areas such as vocabulary, letter recognition, and early math, as well as other aspects of early childhood development.

I also agree with this administration that better data is needed on how well individual Head Start programs are doing in preparing children for kindergarten. However, we have a responsibility to ensure that assessments are conducted appropriately and effectively. And if we are going to do this, we need to make sure we get it right.

I want to commend the Secretary for convening panels to review and take steps to improve the National Reporting System, but I also believe that more time should be taken to make sure we get it right before its data are used to evaluate the progress of children participating in individual Head Start programs.

Mr. Chairman, I yield such time as he may consume to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY of Rhode Island. Mr. Chairman, the most important people in a child's life are their parents. The success of Head Start has been that the parents have been involved at the earliest of ages in their child's development.

The amendment by the gentleman from Wisconsin (Mr. KIND), which I rise to support, is an amendment that simply says let us take the evidence based on how we should approach education for children and let us apply what we know is the best way to include measurements of a child in their formative years of life.

What I think all of us saw in the expeditious movement to put in place these tests was the fact that we rushed into it without taking enough time to take a look at it. All of my Head Start teachers have told me that the testing that is currently in place is testing that is not effective and that what would be more effective would be finding out through the National Academy of Sciences what they recommend in terms of the evaluation of those children.

□ 1400

So I want to thank the gentleman from Wisconsin (Mr. KIND) and I want to join him in saying that learning, as we know and as the chairman knows so well, does not begin in first grade. It begins at birth, and the parents need to be involved in their child's life. Head Start is about the emotional and social development of a child which can guide their ability to learn literacy all the way down their educational life.

They will not learn unless they have the best emotional and social development from early on because they will not be able to sit still; they will not be able to focus; they will not be able to do those things that we are going to be testing them for down the line.

With that, I thank the chairman of the Committee on Education and the Workforce for this time.

Mr. BOEHNER. Mr. Chairman, I suggest to my colleagues that the amendment the gentleman from Wisconsin offers, he and I have worked together on this closely over the course of this year. I think it is a good amendment and would urge my colleagues to adopt it.

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

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

Mr. Chairman, I want to thank the chairman of the committee for his support of the amendment and for working with us in order to get this accomplished. I also want to thank the gentleman from Rhode Island (Mr. KENNEDY), my good friend, for helping to elevate this issue and educate other Members in this place about the importance of the measurements and the assessments that are being used, especially for these children at this early age.

Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentlewoman from California (Ms. WOOLSEY), the ranking member of the subcommittee, and thank her for her support.

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

Ms. WOOLSEY. Mr. Chairman, I thank the gentleman from Wisconsin (Mr. KIND) for yielding me this time.

Mr. Chairman, I want to thank my friend, Mr. KIND, for offering this important amendment.

It is one thing to assess children to understand how best to help them learn.

But, this Administration rushed to test hundreds of thousands of children, and in so doing, used tests that are invalid and unreliable.

Moreover, in its rush, the Administration also seems to have virtually no idea how to use this unreliable data. Had the data been reliable, it would still have been virtually useless.

This amendment will bring a critically needed scientific perspective to bear on the Administration and keep them from implementing this program until they do it right. It is an important amendment and I support it.

Mr. KIND. Mr. Chairman, I yield back the remainder of my time.

The Acting CHAIRMAN (Mr. BASS). The question is on the amendment offered by the gentleman from Wisconsin (Mr. KIND).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 109–229.

AMENDMENT NO. 7 OFFERED BY MR. MICA

Mr. MICA. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. MICA:

At the end of the bill, insert the following new sections:

SECTION _____. QUALITY STANDARDS; MONITORING OF HEAD START AGENCIES AND PROGRAMS.

Section 641A of the Head Start Act (42 U.S.C. 9836a) is further amended by adding at the end the following new subsection:

''(g) In carrying out the provisions of section 641A, and in addition to the use of whatever other resources the Secretary deems appropriate, the Secretary shall—

''(1) contract with an intermediary organization which, in the determination of the Secretary, meets each of the following criteria—

''(A) focuses on improving the performance management and the use of technology for non-profit, educational, and social service organizations;

''(B) has demonstrated experience in providing a range of assistance, including but not limited to—

''(i) assessing performance metrics;

''(ii) the use of technology;

''(iii) improving financial management; and

''(iv) developing recommendations to improve performance and the use of technology;

''(C) has a proven methodology for systemic change in the not-for-profit sector, including governmental and nongovernmental entities;

''(D) has demonstrated results in providing performance management support to small-, mid- and large-size not-for-profit organizations annually on a pro bono basis;

''(E) has demonstrated the ability to identify areas for program improvement related to—

''(i) accomplishing the goals and objectives as outlined in Head Start regulations, reporting criteria and measurement of program outcomes;

''(ii) meeting reporting requirements

''(iii) using technology in classrooms and enabling its use by administrators;

''(F) has demonstrated the ability to develop an implementation plan for recommended improvements by the organizations it assists;

''(G) has demonstrated the ability to assist with and provide on-site, hands-on guidance with the implementation of the recommendations;

''(H) has demonstrated the ability to tailor the assessment and implementation process to the children and communities served (where appropriate); and

''(I) has demonstrated the ability to create an online community that allows Head Start administrators, teachers, service providers, parents, policy makers, and other stakeholders to communicate and provide support during and following the assessment and subsequent implementation process;

''(2) utilize the intermediary organization selected in paragraph (1) not later than 90 days from the date of enactment of this Act to—

''(A) assess the performance of the Secretary in overseeing the Head Start Bureau and ensuring the effective management of the Head Start program in the areas of finance, operations, human capital, and customer service;

''(B) evaluate the Department's organizational structure, policies, and procedures for managing Head Start grant recipients, make recommendations to improve national program quality and maximize the efficiency in the use of program dollars, and support implementation of the recommendations;

''(C) evaluate the Secretary's administrative resource allocations to determine if investment is properly targeted based on risk assessment to address the program's most significant national and local challenges, and propose adjustments as appropriate;

''(D) evaluate and identify best practice Head Start models and build process models to enable their replication;

''(E) develop early warning systems to identify Head Start programs that need intervention;

''(F) evaluate processes to assist Head Start programs that need intervention in implementing necessary program improvements;

''(G) evaluate the effectiveness of the current process for selecting Head Start organizations and develop and implement improvements to ensure that performance metrics emerge as a key criteria for evaluating successful Head Start applicants, including the creation of evaluation criteria that ensure the selection of quality Head Start applicants;

''(H) evaluate how the Department targets resources to remedy ongoing problems or deficiencies in the program's management or governance, and propose solutions as appropriate; and

''(I) conduct a detailed assessment of the Secretary's ability to monitor grantees.''.

SEC. _____. ALLOTMENT OF FUNDS.

Section 640(a)(2) of the Head Start Act (42 U.S.C. 9835) is further amended by adding at the end the following new clause:

''(v) not less than $7,500,000 of the amount in clause (iii) appropriated for fiscal years 2006 and 2007 shall be made available to carry out activities described in section 641A(g).''.

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentleman

from Florida (Mr. MICA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. MICA).

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

First, I want to thank the gentleman from Ohio (Chairman BOEHNER), also the gentleman from Illinois (Mr. DAVIS), the gentleman from Delaware (Mr. CASTLE), the subcommittee chairman, and others who have worked on this legislation. There is probably no piece of legislation in this Congress that is more important to the future of this country and our children and our students than this piece of legislation.

I have educated as an educator and have worked over the years to try to get improvement in the quality of Head Start, and I commend all of those involved and also the President of the United States for emphasizing improving the quality of Head Start.

We spend $7,222 per student for some 900,000 students involved in Head Start and improving the quality. These young people can learn, and they should have an academic component, and we should have the best personnel in these Head Start programs, and we have gone a long way in that regard.

Unfortunately, over the course of the last years, we have had incidents of waste, fraud, abuse, mismanagement, even financial abuse of taxpayer dollars in the Head Start programs, and again, we have limited taxpayer dollars to expend, and we want them expended in the most efficient and proper manner.

While a large majority of Head Start programs have very responsible management and organization in place, I think Congress has an obligation to improve known problems before they get worse and also insist on correction.

Weak or failing Head Start programs are unfair to taxpayers, but mostly, and most importantly, they are unfair to the children who need assistance in these programs, not to mention they are unfair to the taxpayers.

So this amendment directs the Secretary of HHS to undertake a management reform initiative, and I want to thank the gentleman from Ohio (Mr. BOEHNER) for crafting this amendment, and he has my strong support, and I am pleased to offer it because we want this to be the best program possible.

In conclusion, I just want to give a couple of examples. I have one Head Start program I looked at that has 135 students, 17 teachers, and none of the teachers are certified in the program. That should be corrected by this legislation. But the cost for the program is $900,000, and we are spending $72,000 per student on this one Head Start program.

I have other Head Start programs, one in my district, where we have 526 students, and we reviewed what other preschool programs were paying. Right now, it is costing us about $8,439 per student. The most expensive private prep school in the district costs $8,400 a year. The private Catholic school costs $2,160 a year, and the private Christian academy costs $4,400 a year.

We need to look at what the management, what the waste and inefficiencies are in the programs that we have with Head Start, make certain that we are expending this money properly, that we eliminate bureaucracy, wasteful mismanagement and, unfortunately, in some instances, fraud and abuse.

This amendment will go a long way towards achieving that goal and making certain that every one of these taxpayer dollars are spent in the best way to benefit these children and give them truly a head start.

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

Mr. BOEHNER. Mr. Chairman, I do not oppose the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

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

I rise in support of the amendment offered by the gentleman from Florida (Mr. MICA) which makes further improvements to the management of the Head Start program. This has been a particular concern of mine as we have held hearings and taken a comprehensive look at how we can improve the effectiveness of the program on behalf of children and families. As we have heard here today, there are many great things happening in Head Start, but many of my colleagues on both sides of the aisle share my view that not everything is working as well as it should.

When approaching this reauthorization, I took my job seriously to take a hard look at every aspect of the Head Start program and work toward the reforms that were necessary to make this program the very best that it can be. And to be perfectly frank, I did not like everything that I saw.

Over the course of the last several years, incidents of waste, fraud, program mismanagement, and even financial abuse of taxpayer dollars have been reported in at least two dozen Head Start programs across the country. While a large majority of the Head Start programs have responsible management organizations in place, I think this Congress has an obligation to improve known problems before they get worse. I think it is unfair to taxpayers, but most importantly, it is unfair to children and their parents who count on the Head Start program.

The underlying bill contains meaningful program reforms, focused primarily on improving program oversight and accountability at the local level, but in my assessment, additional reforms are needed to ensure effective program management at the top. In fact, as a recent General Accountability Office report reveals, there are systemic flaws in the program's Federal management, and these systemic flaws have been there for many, many years.

There is no need no question that we need to fix the problems at the local level. However, addressing issues locally is not enough, and I believe weaknesses in the Federal oversight mechanisms have contributed to the rash of financial mismanagement that we have seen in recent years because Head Start lacks the fundamental management standards and risk-based assessment tools necessary to prevent these types of abuses.

This amendment offers reforms that will lead to more efficient and effective Federal management of the Head Start program. In my view, the best way to accomplish this goal is for the department to contract with an experienced, independent organization to conduct a wholesale review, and support the implementation of reforms to the system of Federal management of Head Start grants. The amendment would task the intermediary organization to evaluate all systems affecting program quality, including grant selection, resource allocation, and processes to ensure the early identification of programs in need of intervention.

This amendment I think is a commonsense opportunity to inject accountability and sound management principles into the upper levels of the Head Start program. This bill seeks excellence from local Head Start programs, and I believe the same standard should be applied to the Federal Head Start structure as well.

Mr. Chairman, passage of the underlying bill will mark an important step toward enactment of the most far-reaching reforms to Head Start since the program first began 40 years ago, and this amendment could greatly improve the national program quality and maximize the use of taxpayer dollars. I want to thank my colleague from Florida, once again, for offering this amendment and ask my colleagues to support it.

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

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

In conclusion, I know we all saw the pictures that were quite shocking in New Orleans, and many people were stunned by the level of poverty that we saw when the dikes and the levees broke. Much more was broken in that community and our communities, and that is, the education of our poorest children. No piece of legislation will do more, I think, in advancing the interests and the educational opportunities for our children than this legislation.

So I thank the gentlewoman from California (Ms. WOOLSEY), I thank the gentleman from Ohio (Chairman BOEHNER), the gentleman from Delaware (Mr. CASTLE), and others involved in moving this important piece of legislation forward, improving the quality and also improving the management, making certain with this amendment

that every dollar goes towards the betterment of those disadvantaged in our society.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. MICA).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 109–229.

AMENDMENT NO. 8 OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. FILNER:

At the end of the bill, add the following new section:

SEC. _____. TEACHER RETENTION REPORT.

Not later than one year after implementation of the Head Start teacher qualifications and development under amendments made by this Act, the Secretary of Health and Human Services shall submit to Congress a report on Head Start teacher retention levels.

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentleman from California (Mr. FILNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. FILNER).

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

I just would read the amendment: ''Not later than one year after implementation of the Head Start teacher qualifications and development under amendments made by this Act, the Secretary of Health and Human Services shall submit to Congress a report on Head Start teacher retention levels.''

I rise to support this amendment, and I want to thank the gentlewoman from California (Ms. WOOLSEY), my good friend, who for the 13 years she has been here has been a tireless advocate for Head Start and all other education programs that provide access of all our country's children to the quality education that they deserve. I know she looks forward to the day, as I do, that we do get full funding for the Head Start program for all children who are eligible in this Nation, and we will work with the gentlewoman toward that end.

We all know and we have heard today from both sides of the aisle about the importance and quality of Head Start. It has played, for four decades now, a vital role in the lives of thousands of children and parents across the country, and certainly in my home area of San Diego and Imperial Counties of California.

The government gets it right on Head Start. We are providing opportunities for children in underserved areas where parents may not be able to afford preschool so they can begin their schooling with a running or Head Start.

I have witnessed Head Start's benefits firsthand at different levels. Before entering Congress, I taught for 20 years as a history professor at San Diego State University, and I will tell my colleagues that, even at that level, the students who had been through Head Start as children owe that program a great deal for their getting through college, and they may not even have been able to get through high school without it.

I was on the San Diego school board for 4 years, where I watched children successfully matriculate into elementary schools from Head Start programs from all around our city. It was clear then, and remains equally clear today, that the work of Head Start plays an enormously significant role within our education community.

□ 1415

Now, as we know, in this year's reauthorization, Congress is implementing the strongest requirements for teacher qualifications and development in Head Start's history. Teachers will have to have more incoming experience and face more on-the-job professional development than ever before.

I commend the committee and I commend this Congress for taking that action, but we have to remember that, as we add these more stringent requirements and more accountability and more professional development, we are going to have to fund the resources necessary to achieve that.

In fact, we have to answer the question: Might we be pricing Head Start right out of the teaching market? Right now, teaching is a profession that has more openings than can be filled. When we drastically increase the work requirements without increasing the salary levels, there is a risk of running many successful and experienced teachers right out of the program. If we narrow Head Start's hiring pool, it may be forced to compete with institutions that have greater funding and resources to hire. So without providing far more funding than this bill offers, hiring may become difficult as prospective teachers may go elsewhere.

We have seen that, in another unfunded mandate, the so-called No Child Left Behind Act, which created tougher standards, and we all support that, but Congress did not provide the money to attract and hire the best teachers. So since there is a real possibility of increased teacher requirements leading to a dropoff in the number of experienced Head Start teachers, I hope the House will accept my amendment, which calls for the Secretary of Health and Human Services to submit to Congress a study reporting on Head Start's teacher retention levels. This study will be completed within 1 year of the enactment of the new regulations.

With this study, we will have an early look at the impact of these regulations. It will paint a picture of whether Head Start teachers are staying and meeting the new requirements or whether these new requirements are inadvertently driving experienced teachers from such an important program as Head Start. These early results will tell us if we are on the correct path or if we need to modify some of the rules before there is more damage.

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

Mr. CASTLE. Mr. Chairman, I do not oppose the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN (Mr. BASS). Is there objection to the request of the gentleman from Delaware?

There was no objection.

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

First, let me just say that I strongly support the Filner amendment. Actually, it is interesting to hear some of these amendments, because they would apply to education in general and not just to Head Start, and I think this is one that falls into that category.

It is very important to understand qualifications, retention, and what is happening in that particular area. I think, as I know the gentleman from California (Mr. FILNER) is aware, but I think everybody needs to be aware of the fact that the underlying bill requires that at least 50 percent of all Head Start teachers nationwide have a baccalaureate or advanced degree in early childhood education or related field by September 30, 2011. And it also requires that within 3 years all Head Start teachers hired after the date of enactment of this act must have at least an associate degree in early childhood education or related field, or be enrolled in a program of study leading to an associate degree in early childhood education or related field within 3 years.

These are significant steps. They will enhance the educational progress as far as Head Start is concerned. We also need to worry about the retention. It is going to raise economic issues in terms of being able to pay for this. We are clearly going to have to look at that in terms of our future appropriations. So I think all this melds together in what in my mind would be a dramatic improvement in Head Start.

Again, we retain all of the services presently provided. It is just that there is an added emphasis on the educational side of it, which I think we all agree is needed. So I am strongly in support of the amendment.

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

Mr. FILNER. Mr. Chairman, I thank the chairman both for his support and for his commitment to Head Start. I also have fond remembrance of being a graduate student at the University of Delaware, which the gentleman knows very well, and appreciate the education in his State of Delaware.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I want to thank the gentleman from California (Mr. FILNER) for offering this amendment and the chairman, the gentleman from Delaware (Mr. CASTLE) for supporting it.

We know the base bill increases teacher quality requirements, and we also know that we are not doing nearly enough to help Head Start programs hire and keep these more qualified teachers. So I support my colleague's interests and understanding on making this happen.

Mr. CASTLE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. FILNER).

The amendment was agreed to.

The Acting CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. TERRY) assumed the Chair.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3761. An act to provide special rules for disaster relief employment under the Workforce Investment Act of 1998 for individuals displaced by Hurricane Katrina.

H.R. 3768. An act to provide emergency tax relief for persons affected by Hurricane Katrina.

The SPEAKER pro tempore. The Committee will resume its sitting.

SCHOOL READINESS ACT OF 2005

The Committee resumed its sitting.

The Acting CHAIRMAN. It is now in order to consider amendment No. 9 printed in House Report 109–229.

AMENDMENT NO. 9 OFFERED BY MS. MILLENDER-MCDONALD

Ms. MILLENDER-McDONALD. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Ms. MILLENDER-MCDONALD:

At the end of the bill, add the following new section:

SEC. _____. IMPROVING HEAD START ACCESS FOR HOMELESS AND FOSTER CHILDREN.

(a) DEFINITIONS.—Section 637 of the Head Start Act (42 U.S.C. 9832) is amended by adding at the end the following:

''(18) The term 'family' means all persons living in the same household who are—

''(A) supported by the income of at least 1 parent or guardian (including any relative acting in place of a parent, such as a grandparent) of a child enrolling or participating in the Head Start program; and

''(B) related to the parent or guardian by blood, marriage, or adoption.

''(19) The term 'homeless child' means a child described in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)).

''(20) The term 'homeless family' means the family of a homeless child.''.

(b) ALLOTMENT OF FUNDS; LIMITATIONS ON ASSISTANCE.—

(1) QUALITY IMPROVEMENT.—Section 640(a)(3) of the Head Start Act (42 U.S.C. 9835(a)(3)) is amended—

(A) in subparagraph (B)—

(i) in clause (ii), by inserting ''children in foster care, children referred to Head Start programs by child welfare agencies, '' after ''background''; and

(ii) in clause (v), by inserting '', including collaboration to increase program participation by underserved populations, including homeless children, eligible children in foster care, and children referred to Head Start programs by child welfare agencies'' before the period; and

(B) in subparagraph (C)—

(i) in clause (ii)(IV)—

(I) by inserting ''homeless children, children in foster care, children referred to Head Start programs by child welfare agencies, '' after ''dysfunctional families''; and

(II) by inserting ''and families'' after ''communities'';

(ii) in clause (v)—

(I) by inserting ''homeless children, children in foster care, children referred to Head Start programs by child welfare agencies,'' after ''dysfunctional families''; and

(II) by inserting ''and families'' after ''communities'';

(iii) by redesignating clause (vi) as clause (viii); and

(iv) by inserting after clause (v) the following:

''(vi) To conduct outreach to homeless families and to increase Head Start program participation by homeless children.''.

(2) COLLABORATION GRANTS.—Section 640(a)(5)(C)(iv) of the Head Start Act (42 U.S.C. 9835(a)(5)(C)(iv)) is amended—

(A) by inserting ''child welfare (including child protective services),'' after ''child care,'';

(B) by inserting ''home-based services (including home visiting services),'' after ''family literacy services''; and

(3) ALLOCATION OF FUNDS.—Section 640(g)(2) of the Head Start Act (42 U.S.C. 9835(g)(2)) is amended—

(A) in subparagraph (C)—

(i) by inserting ''organizations and agencies providing family support services, child abuse prevention services, protective services, and foster care, and'' after ''(including''; and

(ii) by striking ''and public entities serving children with disabilities'' and inserting '', public entities, and individuals serving children with disabilities and homeless children (including local educational agency liaisons designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)))'';

(B) in subparagraph (H), by inserting ''(including the local educational agency liaison designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)))'' after ''community involved''.

(c) RESEARCH, DEMONSTRATIONS, AND EVALUATION.—Section 649 of the Head Start Act (42 U.S.C. 9844) is amended in subsection (a)(1)(B), by striking ''disabilities)'' and inserting ''disabilities, homeless children, children who have been abused or neglected, and children in foster care''.

(d) REPORTS.—Section 650(a) of the Head Start Act (42 U.S.C. 9846(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''disabled and'' and inserting ''disabled children, homeless children, children in foster care, and'';

(2) in paragraph (8), by inserting ''homelessness, whether the child is in foster care or was referred by a child welfare agency,'' after ''background''.

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentlewoman from California (Ms. MILLENDER-MCDONALD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-McDONALD. Mr. Chairman, I yield myself such time as I may consume, and I first want to thank my colleague and friend, the gentlewoman from California (Ms. WOOLSEY), as well as the chairman of the subcommittee, for allowing me to come before the body today for this very important amendment.

Today, I am offering an amendment that addresses one of our Nation's greatest needs: providing a sound educational foundation for children who are homeless or in foster care. There are many obstacles these children must overcome, but access to early education should not be one of them.

Quite simply, my amendment does the following: it encourages Head Start grantees to reduce barriers by directing them to increase their outreach to homeless and foster children. It encourages coordination between Head Start grantees and community service providers and homeless and foster children. It increases the coordination of these populations as they transition out of Head Start to elementary school and increases reporting requirements. It allows homeless children and foster children to be automatically eligible for Head Start.

Mr. Chairman, the early years of a child's life are critical to their development. Homeless and foster youth face monumental hurdles, starting with their need for stability, emotional reassurance, and access to educational resources. Because of these inherent challenges, homeless children and foster youth are twice as likely to have a learning disability and are three times as likely to have emotional and behavioral problems that can contribute to long-term learning disabilities. We can help these kids by identifying them early and making sure that they are enrolled in Head Start. The work we do now for these kids will help them throughout their life.

This, Mr. Chairman, is an investment worth making, but we must make this investment now. The numbers are staggering. Tragically, an estimated 1.4 million children experience homelessness each year. More than 40 percent of the children in homeless shelters are under the age of 5. Currently, only 2 percent of the more than 900,000 students served by Head Start are children identified as homeless.

In my home State of California, there are more homeless children today than ever before. The California Department of Housing and Community Development estimates that there are 80,000 to 95,000 homeless children statewide. The vast majority of these children come from homeless families that consist of a single mother and her children.

The numbers of children in foster care are equally astonishing. There are approximately 532,000 children in foster care in the United States. In California, there are approximately 85,226 children in foster care.

With the devastation of Hurricane Katrina in the gulf States, and the displacement of families, these numbers will only increase. Now, more than ever, our children need a head start just to keep up.

Providing opportunities for foster children has long been a priority of mine. I have introduced legislation in this Congress that creates a foster care mentoring program that seeks to team college students with foster kids who age out of the system. The purpose of this is to provide structure for these children and to open new doors and opportunities through education and community partnerships.

But all of these partnerships, Mr. Chairman, start at an early age and must begin with Head Start.

Mr. Chairman, my amendment is good policy. This is an excellent investment in our most vulnerable population. No child should be alone in the world, and in these United States of America no child should be left behind. My amendment will prevent these children from the beginning in becoming victims of bureaucratic loopholes and keep them transitioning into and through life with the support and commitment that they deserve. I ask all of my colleagues to support this critical amendment.

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

Mr. CASTLE. Mr. Chairman, I do not oppose the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN (Mr. TERRY). Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. CASTLE. Mr. Chairman, I yield myself such time as I may consume, and I rise in very strong support of this amendment, which goes along with a number of other amendments which we have had, which is recognizing the fact that when you are dealing with Head Start you are dealing with a population that comes from 100 percent of poverty or less, and you are dealing with people who are going to have barriers in terms of their education. They may be barriers in terms of where they live or the ability of the parents to care for them. They may be homeless or foster children, as the sponsor has pointed out; and I think it is only right and just and absolutely the correct thing to do to increase that access.

In fact, perhaps that is more important than anything else we can do in terms of the kinds of children we are reaching out to, in terms of their background issues. So for that reason, I am extremely supportive of this amendment, and I think it is a great deal of help to what I believe is already a good piece of legislation, and I encourage each and every one of us to support it.

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

Ms. MILLENDER-MCDONALD. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I want to thank my friend and colleague from California (Ms. MILLENDER-MCDONALD) for offering this amendment and our chairman for accepting it.

Head Start is a program to give a helping hand to vulnerable children, and no child is more vulnerable than a homeless or foster child. This amendment will improve outreach and coordination of services for these very children, and this will help ensure that they receive the services they need to succeed in school and in life.

Mr. Chairman, this is a worthy amendment and I support it.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I thank the chairman of the subcommittee, the chairman of the full committee, and the gentlewoman from California (Ms. WOOLSEY) for their support. I ask all of my colleagues to support this very worthy amendment.

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

Mr. CASTLE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. MILLENDER-MCDONALD).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 10 printed in House Report 109–229.

AMENDMENT NO. 10 OFFERED BY MRS. MUSGRAVE

Mrs. MUSGRAVE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mrs. MUSGRAVE:

At the end of the bill, insert the following new section:

SEC. ___. ADMINISTRATIVE REQUIREMENTS AND STANDARDS.

Section 644 of the Head Start Act (42 U.S.C. 9839) in amended—

(1) in subsection (b), by inserting immediately before ''exceed 15 percent'' the following: '', and any reasonable amounts, in excess of allowable direct and indirect costs, normally incurred or recognized by an entity eligible under section 641(a)(1) by virtue of its organization,''; and

(2) in subsection (c), by inserting after the second sentence the following: ''For purposes of this section, the Secretary shall prescribe no rules or regulations that prohibit an entity eligible under section 641(a)(1) from effectively competing for or administering a grant by virtue of its organization.''.

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentlewoman from Colorado (Mrs. MUSGRAVE) and the gentlewoman from California (Ms. WOOLSEY) each will control 5 minutes.

The Chair recognizes the gentlewoman from Colorado (Mrs. MUSGRAVE).

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

First of all, I want to commend the chairman on the good work that he did. This bill really increases competition and accountability in the Head Start Early Childhood Program.

□ 1430

While the vast majority of Head Start programs are of very high quality, I have been concerned about recent reports of mismanagement in some of the Head Start programs. That is why I am pleased that H.R. 2123 infuses the Head Start program with increased competition.

This amendment I am offering would ensure competition and access to high-quality services for these needy children. It would allow a for-profit agency that can demonstrate that it can provide a higher level of services for the same number of Head Start children at a lower cost, to keep a small portion of the administration's savings as profit.

I firmly believe Congress should be doing everything possible to encourage the highest-quality providers to become involved in Head Start. I believe my amendment will provide an incentive for high-quality for-profit providers to apply for Head Start grants and serve our Nation's neediest students.

I would also like to point out that for-profit entities are already an allowable grantee under current law, as well as H.R. 2123, so we would not be setting a new precedent in terms of for-profit participation in the program.

My amendment is bipartisan. It is supported by the National Child Care Association and the Early Care and Education Consortium. I urge my colleagues to support this amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Chairman BOEHNER), and commend the gentleman for his good work.

Mr. BOEHNER. Mr. Chairman, I thank the gentlewoman for her amendment. I think it is a very good amendment.

Under current law, a for-profit entity can apply to be a local grantee to a Head Start program, but you are not allowed to make a profit. This has been in the law for some time. Given what we are trying to accomplish in terms of helping children be ready for school, we ought to have all of the providers possible. If there is an entity out there who thinks they can provide Head Start with a very high-quality program and make a profit, we ought to allow them the opportunity to apply and be in the program. That is all this amendment does. It does not guarantee that they are ever going to get a grant.

I am a big believer in competition, a big believer in the private sector and innovative solutions. Given the challenge we have with low-income children in very low-income neighborhoods, anything we can do to bring more high-quality innovative services to those children, we ought to take that chance, and so I support the gentlewoman's amendment.

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

Mr. Chairman, I rise in strong opposition to the Musgrave amendment. The underlying bill requires that Head Start grantees keep their administrative expenses to 15 percent or less of the grant. The grantee that keeps expenses lower than 15 percent would have the remaining funds available for teacher salaries or more books or other improvements that benefit the children. That is, unless this amendment passes and the grantee is a for-profit organization, in which case under my colleague's amendment, the difference between the 15 percent and lower expenses simply would be in the pocket of the for-profit organization.

So my colleague's amendment comes down to this, very simply: whether we want the benefits of more efficient administration of grantees to go to the children or whether we want to give the businesses an incentive to cut corners for profits. I hope Members all remember HMOs; those profits do not go directly back into the program to benefit the children.

I think the answer is obvious, particularly when we are serving fewer than half the eligible children. I only hope that the majority will be as willing to spend Federal dollars on serving the children as they would be in giving those dollars to for-profit companies.

Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. GEORGE MILLER), our ranking member.

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I rise in opposition to this amendment. I think it is a bad amendment.

The fact of the matter is, if there are these kinds of savings to be had, either the grant is not right or the money should be put back into the services. When we have a program here that is failing to meet the demand for Head Start, it would seem to me if this is a high-quality program and it has the difference between 13 percent and 13.5 percent and 15 percent, which could be a couple hundred thousand dollars on a $10 million grant, which is not that unusual, that ought to be plowed into the program to extend the opportunity of this high-quality program to these children.

This program does not exist to create a profit. That does not mean that people cannot bring profit-making ideals and principles to these programs for efficiencies, but we ought to plow it into the unserved population or to improve quality programs.

When we look at the low pay and the profit-making in the nonprofit sector of Head Start, you would think that we would put that into quality to try to raise the pay so we can attract teachers with more education and child development experience and all of the rest of those issues. This is what we have been arguing and discussing and trying to improve. To now suggest, because somebody has put in some efficiencies, that money should now go to the for-profits, instead of services and extension of the benefits of Head Start to this population that is in so much need of these services, just does not make sense.

One could argue if we were meeting the need and the demand all across the country, maybe there is some argument for this. But when we know how programs struggle, and we see programs with utilities and gas going up, that is going to cause even more difficulties. And to suggest that you can somehow eke out a profit that is not returned to the benefit of the program, that just does not make any sense.

I appreciate vendors are dealing with a government grant and very low-income children and it is very difficult to make a profit, but I do not think that we should eke out the means by which that profit can be taken out of the services rendered to those children. I know these are called administrative costs, and we have been debating administrative costs for a long time. Administrative costs also go with other concerns, the question of accountability and auditing and structuring of these facilities, all of which are part of that, too. I think this is an ill-considered amendment, and I would hope that we would reject the Musgrave amendment.

Mr. BOEHNER. Mr. Chairman, will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman from Ohio.

Mr. BOEHNER. Mr. Chairman, I think the point we are trying to make here is there is a lot of innovation that is underway in terms of bringing technology and other innovation to the whole idea of learning. When it comes to early childhood programs, the chance at a profit, I believe, could bring innovation technology to this entire sector. Nobody has asked me for it, I am not suggesting there is going to be a rush to come in with innovation, but without some opportunity at getting a return on your investment, will the innovation ever come?

That is where I am willing to take the chance that new ideas, new innovations in terms of developing these children, could be very beneficial to the program.

Ms. MUSGRAVE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. TERRY). The question is on the amendment offered by the gentlewoman from Colorado (Ms. Musgrave).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Ms. WOOLSEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Colorado (Ms. Musgrave) will be postponed.

It is now in order to consider amendment No. 11 printed in House Report 109–229.

AMENDMENT NO. 11 OFFERED BY MS. WOOLSEY

Ms. WOOLSEY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Ms. WOOLSEY:

At the end of the bill, add the following new section:

SEC. _____. CHILDREN AFFECTED BY HURRICANE KATRINA.

(a) DEFINITIONS.—For the purposes of this section, the following definitions apply:

(1) CHILDREN AFFECTED BY HURRICANE KATRINA.—The term ''children affected by Hurricane Katrina'' means a child who is not older than 5 and who resides or who resided on August 22, 2005, in an area in which the President has declared that a major disaster exists.

(2) IMPACTED HEAD START AGENCIES.—The term ''impacted Head Start Agencies'' means a Head Start agency receiving a significant number of children from an area in which a major disaster has been declared.

(3) MAJOR DISASTER.—The term ''major disaster'' means a major disaster declared by the President in accordance with section 401 of the Robert T. Stafford Disaster Relief Emergency Assistance Act (42 U.S.C. 4170), related to Hurricane Katrina.

(b) TECHICAL ASSISTANCE, GUIDANCE, AND RESOURCES.—The Secretary shall provide technical assistance, guidance, and resources through the Region 4 and Region 6 offices of the Administration for Children and Families (and may provide technical assistance, guidance, and resources, through other regional offices of the Administration, at the request of such offices, that administer affected Head Start agencies) to Head Start agencies in areas in which a major disaster has been declared, and to affected Head Start agencies, to assist the agencies involved in providing Head Start services to children affected by Hurricane Katrina.

(c) WAIVER.—For such period up to March 31, 2006, and to such extent as the Secretary considers appropriate, the Secretary of Health and Human Services—

(1) may waive section 640(b) of the Head Start Act.

(2) shall waive requirements of documentation for children affected by Hurricane Katrina who participate in Head Start programs and Early Head Start programs funded under the Head Start Act.

The ACTING CHAIRMAN. Pursuant to House Resolution 455, the gentlewoman from California (Ms. WOOLSEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California (Ms. WOOLSEY).

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

Mr. Chairman, I am offering this amendment on behalf of the gentleman from Mississippi (Mr. THOMPSON) who is unable to be here this afternoon.

Mr. Chairman, this amendment will help some of the most vulnerable victims of Hurricane Katrina, the children. As a result of Hurricane Katrina, many families have been displaced from their homes and their schools. This amendment allows displaced families to enroll their children under the age of 5 in Head Start.

In Mississippi, 44 Head Start centers were impacted by Hurricane Katrina,

18 centers will be closed indefinitely, and 26 more are in need of repair. Approximately 26,743 children within the State of the gentleman from Mississippi (Mr. THOMPSON) are eligible for Head Start services prior to Hurricane Katrina. In the aftermath, the number is expected to double.

In the neighboring State of Louisiana, 117 centers were impacted, 83 remain closed, and 34 centers are providing partial services.

In Alabama, 9 centers were impacted, 3 centers will be closed indefinitely, and 6 are in need of repair.

This amendment provides a waiver for 6 months for those families that do not have proof of immunizations and income levels to participate in the Head Start program. This 6-month waiver authority also permits the Secretary of Health and Human Services to waive the 20 percent local Head Start match requirement.

This amendment directs the Secretary to provide technical assistance, guidance, and resources which permits agencies to provide Head Start services to children who have been affected by the hurricane. The total number of Head Start children affected by Hurricane Katrina is approximately 18,000. Since the devastation of Hurricane Katrina, more families are now Head Start eligible. If you want families to come back and restore their communities, their children need to be safe and healthy in environments where they can learn and play.

I understand and appreciate that the majority will accept this amendment and I think that is wonderful. I hope that the majority will also join us in the coming days to appropriate supplemental funds for these same children.

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

Mr. BOEHNER. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I do not oppose the amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

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

Mr. Chairman, I thank the gentlewoman from California (Ms. WOOLSEY) for offering this amendment on behalf of the gentleman from California (Mr. THOMPSON).

The gentleman from California (Mr. THOMPSON) and I have worked together and have known each other since the gentleman's arrival here in Congress. This amendment will direct the Department of Health and Human Services to assist those displaced children, to try to get them into Head Start locations around the country. We have already allocated some $15 million to help enroll children in those places where they have moved to temporarily.

We believe that the amendment offered by the gentleman from California (Mr. THOMPSON) would help on a longer-term basis. Given the fact we have another hurricane going to hit somewhere in the gulf in the next couple of days, unfortunately, there could be more children displaced, and helping them stay in a Head Start program, regardless of where they go, is something for their good and their family's good and our country's good, and is something we should do. I urge my colleagues to accept the amendment.

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

Ms. WOOLSEY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California.

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 12 printed in House Report 109–229.

AMENDMENT NO. 12 OFFERED BY MR. BOEHNER

Mr. BOEHNER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. BOEHNER:

At the end of the bill, insert the following new section:

SEC. _____. DISCRIMINATION PROVISIONS.

Section 654 of the Head Start Act is amended to read as follows:

"SEC. 654 NONDISCRIMINATION PROVISIONS.

''(a)(1) The Secretary shall not provide financial assistance for any program, project, or activity under this subchapter unless the grant or contract with respect thereto specifically provides that no person with responsibilities in the operation thereof will discriminate with respect to any such program, project, or activity because of race, creed, color, national origin, sex, political affiliation, or beliefs.

''(2) Paragraph (1) shall not apply to a recipient of financial assistance under this subchapter that is a religious corporation, association, educational institution, or society, with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities. Such recipients shall comply with the other requirements contained in this subsection.

''(b) No person in the United States shall on the ground of sex be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with any program or activity receiving assistance under this subchapter. The Secretary shall enforce the provisions of the preceding sentence in accordance with section 602 of the Civil Rights Act of 1964. Section 603 of such Act shall apply with respect to any action taken by the Secretary to enforce such sentence. This section shall not be construed as affecting any other legal remedy that a person may have if such person is excluded from participation in, denied the benefit of, subjected to discrimination under, or denied employment (except as provided in subsection (a)(2)), in the administration of any program, project, or activity receiving assistance under this subchapter.

''(c) The Secretary shall not provide financial assistance for any program, project, or activity under this subchapter unless the grant or contract relating to the financial assistance specifically provides that no person with responsibilities in the operation of the program, project, or activity will discriminate against any individual because of a handicapping condition in violation of section 504 of the Rehabilitation Act of 1973, except as provided in subsection (a)(2).''.

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentleman from Ohio (Mr. BOEHNER) and the gentlewoman from California (Ms. WOOLSEY) each will control 15 minutes.

The Chair recognizes the gentleman from Ohio (Mr. BOEHNER).

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

I thank the gentleman from Louisiana (Mr. BOUSTANY) for offering this important amendment. Unfortunately, with the hurricane moving now somewhat east of where it was, he decided to return to his district in central and southwestern Louisiana. So he is not here today, and I offer the amendment in his place.

Faith-based organizations such as churches, synagogues, and charities are an essential fabric of local communities across America. This amendment will correct a flaw in the Federal Head Start law that has stripped these organizations of their hiring rights, forcing them to relinquish their civil liberties if they choose to participate in Federal early childhood programs that are poised to be reauthorized today.

□ 1445

We have had this debate many times before here on the House floor. In fact, earlier this year we rejected, in a bipartisan fashion, an amendment that would have barred faith-based organizations from providing job training services in their own communities. Unfortunately, each time we have had this debate, opponents of faith-based groups' federally protected right to maintain their religious nature and character through those they hire have equated these civil liberties with discrimination.

The 1964 Civil Rights Act makes clear that faith-based groups may serve their communities without being forced to give up their right to employ individuals who share the tenets and practices of their faith. Were the authors of the Civil Rights Act pro-discrimination? No.

The United States Supreme Court in 1987 unanimously reaffirmed the hiring rights for faith-based organizations. Was the Supreme Court pro-discrimination? No.

Former President Bill Clinton signed four laws explicitly allowing faith-based groups to staff on a religious basis when they receive Federal funds: the 1996 Welfare Reform law, the 1998 Community Services Block Grant Act, the 2000 Community Renewal Tax Relief Act, and the 2000 Substance Abuse and Mental Health Services Administration Act. Was President Clinton pro-discrimination? No.

The amendment we are considering today is offered in the same spirit as the 1964 Civil Rights Act, the 1987 Supreme Court decision, and each of the

four laws signed into law by President Bill Clinton.

Our Nation's Head Start students deserve to be served by the very best organizations willing to lend a helping hand, and if those organizations are not faith based, so be it. But if they are, the faith and values that motivate them to serve their neighbors should not be held against them.

Considering the proven track record of faith-based providers in meeting the needs of our Nation, efforts we are seeing in action right now in the gulf coast region, why would we want to deny them the opportunity to make a difference in the lives of Head Start students?

President Bush has worked tirelessly to remove barriers that needlessly discourage faith-based groups from bringing their talents and compassion to Federal initiatives that help Americans in need. Countless times he has called on Congress to send him ''the same language protecting religious hiring that President Clinton signed on four other occasions.'' This amendment answers the President's call once again.

We should not be denying compassionate, professional faith-based providers the opportunity to serve our children, and I want to urge my colleagues to vote ''yes'' on this amendment.

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

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

Mr. Chairman, I think it is very sad that we are debating this amendment. I think it is sad because we are squandering a rare opportunity for a real bipartisan achievement with the Head Start bill today. It is sad because we are debating whether to amend a program that came out of our country's struggle for civil rights by restricting those very civil rights. And it is sad because we are debating whether to make religious discrimination a higher priority than finding the best qualified Head Start teacher for at-risk children.

We are discussing supporting religious discrimination paid for with Federal dollars. Under current law, religious organizations can and do participate in Head Start, and they always have from the very beginning. They do a very good job. Under current law, religious organizations can hire members of their own faith using only their own funds, and they have always been able to do that. And under current law, job applicants have the right to apply for a federally funded Head Start position without submitting to a religious test.

We are not talking about forcing Catholic churches to hire Jewish priests. We are talking about whether if a religious organization chooses to accept Federal funds for Head Start, it should be allowed to discriminate using those funds, which, by the way, is exactly what President Bush called on Congress to do earlier this year. The President said, ''We ought to judge faith-based groups by results, not by their religion.''

But, sadly, the Boustany amendment is asking us to allow some Head Start programs to judge job applicants by their religion, not by their results.

So I ask my colleagues to oppose this amendment and to oppose final passage if the bill includes this amendment.

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

Mr. BOEHNER. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. Mr. Chairman, I thank the gentleman for yielding me this time.

This is a debate we have had before, particularly in the committee as we discussed this bill last year. And I have difficulty understanding the rationale for opposing this amendment because it has been established in law for some time that churches have the right to hire on the basis of religion and the activities they pursue.

I understand some of the arguments offered, but I would point out the difficulties that one can discover immediately. As an example, the gentleman from Nebraska (Mr. OSBORNE) pointed out in the debate last year that one of his local churches operates a Head Start program, but they do not hire full-time people for that. They hire part-time people who also work for the church the rest of the day. Obviously, they should be allowed to hire on the basis of religion for the operations of the church. Why then prohibit that person from also teaching in the Head Start program?

I come from a city that is often called the City of Churches, Grand Rapids, Michigan, a great many churches often working together. And when the call came in after Hurricane Katrina, the Red Cross was asked to organize a relief effort, asked to provide emergency shelter and housing for 500 people. Their first call was to GRACE, the Grand Rapids area ecumenical group, which, through the churches, put together a shelter in a matter of 2 or 3 days. They could not have done that without that, but virtually every church in the city worked on it. Again, all of these workers were affiliated with churches and were hired partly on the basis of their religious faith. Why exclude such a potent social force from working with the government in cases of emergency or at any other time?

I think there is a basic misunderstanding here, something along the lines that we cannot have this because these people might try to proselytize some people and try to get them to join the church. That is not the motivation of the churches in Grand Rapids or across this country. They understand, based on their spiritual commitment, that they have a responsibility to their fellow human beings and that, in the name of God, they are to minister to others who are in need. And that is why they are an effective social force in meeting the needs of the poor, meeting the needs of those who are hurting, and that is the reason that they are an effective agency of the Federal Government to work with in terms of crisis, emergency, or simple pain and need on the part of certain people.

This amendment that is being offered will allow the continuation of that effort in the Head Start program; and, frankly, we should allow it in every program. Why should we rule out one of the most effective and one of the most potent social organizations in the Nation, that is, religious organizations, who are dedicated to doing good, who are seeking to do good, who are trying to honor their Lord by doing good, and they can be a very effective force? We should not exclude them in any way from their work and from their participation with the government as partners.

Ms. WOOLSEY. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. NADLER).

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

Mr. NADLER. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Louisiana. This amendment betrays our core values by permitting, for the first time in the history of the Head Start program, religious discrimination in hiring. It allows taxpayer funds to be used in Head Start programs that discriminate against teachers and parent volunteers solely because of their religious beliefs. The bill does so by eliminating existing law that has, since Head Start's beginning, protected the people who teach our children against this most reprehensible form of discrimination.

Religious discrimination in employment or the imposition of religious tests for federally funded employment in violation of the Constitution is reprehensible and an affront to our first freedom. Nobody should be able to hang out a sign that says no Catholics or Jews, no Protestants, no Lutherans, no whoever may apply for this federally funded job.

Every religious denomination in this country can run a Head Start program and has. Every religious denomination can run programs and has. No one says they cannot discriminate in who the minister is or they do not want women as ministers or, for that matter, as janitors, but not with those positions funded by the Federal Government.

That is what this amendment would breach. That is what is obnoxious. That is why it should be defeated.

We have heard terrible allegations from the other side of the aisle, and from the administration alleging, during the recent confirmation hearings for Judge Roberts, that certain members of the Other Body have hung a sign on the Federal courts saying ''No Catholics Need Apply.'' While I continue to believe that this slur against conscientious Catholic members of the Other Body is blatantly false and slanderous, those making the charge, including the President and our colleagues on the other

side of the aisle, seem to understand that religious discrimination in employment, or the imposition of a religious test for federally funded employment in violation of the Constitution, is reprehensible and an affront to our First Freedom.

I only wish they would apply that same principle to the people who teach our children.

Head Start is an exceptional program that serves nearly one million children and their families. We know from experience that it works and works well, helping our children succeed educationally. Instead of promoting religious discrimination, we should be standing up for families and for our most vulnerable children by providing the necessary resources and accountability, to ensure that all children who qualify for the Head Start program can participate and succeed.

It is time to match the rhetoric with action and leave no child behind. It is time to make good on the promise of this Nation that we are all created equal, that all children are entitled to a decent education, and that no one should ever have to decide between a job helping our children and their religious faith. No child was ever helped by governmentally funded and endorsed religious discrimination. That is not what this country is about, and it is not befitting of a nation dedicated to liberty and justice for all.

I urge my colleagues to reject this amendment, to stand up for our values of religious equality.

Mr. BOEHNER. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Chairman, I thank the gentleman for yielding me this time.

We just heard some explosive rhetoric. Let me boil this down. This amendment really stands for two simple basic principles: Number one, that those who are in need should have the right to receive vital services from the most effective source in the most effective way possible. That should be their right as Americans. Now, in the vast majority of cases that is going to be a public entity, but in some cases and in some places it might just be a faith-based organization. It might be a faith-based organization, it might be a religious organization, that is the most effective choice for those in need, that family in need, those children in need. Should they not have the right to those services in the most effective way?

Secondly, the second basic principle is if it is a faith-based organization that is providing those services and participating in the program, they should not have to surrender their religious character merely because they choose to try to help out. That is what this is really all about. These organizations that are trying to reach out, that are taking a chance to help provide these services because they see people in need, the government should not say to them if they are going to help out, I am sorry, they have to surrender much of their religious character. I think that is wrong.

Let me be very clear. If we fail to adopt this amendment and fail to protect the rights of these faith-based organizations to retain their religious character in such things as hiring, it is not these groups that will suffer. They are not making money. They are not profiting by serving as Head Start providers. It will be our neediest children; it will be our families who participate in Head Start. Those will be the ones who suffer.

Let us adopt this amendment and stand for the principle that kids need help and they should be able to get it in the most effective way possible.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, first, the first half of the gentleman's remarks previously are irrelevant. We are not disputing the importance of including faith-based groups as providers. When this question came up years ago, I was ardently for it. No one is trying to prevent faith-based groups from providing the service. No one is saying that a faith-based using its own money, using private money, using private donations has to pay any attention to the question of hiring if they choose to have only their religious co-workers.

The question is if a faith-based group wants to take Federal money paid for by every taxpayer in this country, is it a violation of their religious character to say, with that Federal money, they must not discriminate in hiring?

The religious character being imputed to these groups makes me think that we are talking about the constitution of the Iraq. What is this? The Sunnis should not have to hire the Shias? The Shias should not have to deal with the Kurds? What is the principle here? Are we not trying to promote the notion of people living together? What religious group taking Federal money says, ''You know what, I want to help these poor people, but not with a Jew,'' ''I cannot have a Baptist working for me,'' ''no Mormon need apply''?

We are not talking about administering religious services. We are not talking about performing religious rites. We are talking about taking Federal money to perform what has to be, remember, a secular service. We all agree to that. If it were not a wholly secular service, no one would expect us to be funding it with Federal money. And this is the question I have to ask my friends. Of course we want religious groups there. Why is it so terrible to tell Jews that they must associate with Baptists if Federal money is being spent to provide child care services?

□ 1500

What violation of the religious right of a Catholic is to say you have to hire a Methodist? How are Episcopalians being deprived of their religious integrity if they are told that, you know what, when you have Federal money in this program, if you hire a Presbyterian, that is okay. I mean, this is fundamental, we thought, in America.

Again, we are talking about Federal money, and we are talking about not imputing to religious groups an insistence on bigotry and discrimination in the spending of Federal funds.

Mr. BOEHNER. Mr. Chairman, I yield 2 minutes to the gentlewoman from North Carolina (Ms. FOXX), a member of our committee.

Ms. FOXX. Mr. Chairman, I rise in support of the Boustany amendment which seeks to include important protections for religious organizations in this bill.

As I stated in my remarks during consideration of the rule, this Nation is second to none in charitable giving and in helping others in need. This is not just a religious tenet, but an American principle, and we as Americans must continue to encourage and foster that spirit of giving and serving others. Not allowing those organizations, who have proven they are some of the best at feeding the hungry, healing the sick, and housing the homeless, to provide early childhood education for our children is just wrong.

A secular group, such as Planned Parenthood or the Sierra Club, that receives government money is currently free to hire based on its ideology and mission, but still use Federal funds for certain programs and activities they provide. Yet, groups that are religious in nature are not allowed to hire according to their ideology and mission? Because an organization has among its purposes and basic tenets to serve others is not a reason to discriminate against them.

Ms. WOOLSEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM of Minnesota. Mr. Chairman, today I rise to oppose the Boustany amendment and all the explicit discrimination it represents by removing Head Start hiring protections provided by the Equal Opportunity Act. Currently, Head Start law embraces the Equal Opportunity Act. This amendment cuts the heart out of it.

This is a blatant attack on civil rights and this sanctions discrimination. This would allow organizations to discriminate based on religion, as well as fundamentally changing disability laws, discrimination paid for by U.S. tax dollars. This amendment is offensive to Americans who value civil rights, equal justice, and to many, many of us who are strong people of faith.

Let us be clear. Faith-based organizations currently are providing Head Start services, and their mission, their work is valued by all of us. This amendment provides no additional opportunities to faith-based organizations, because they can currently apply for Head Start dollars.

Mr. BOEHNER. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from South Carolina (Mr. INGLIS), a member of our committee.

Mr. INGLIS of South Carolina. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise in support of the Boustany amendment. There has been a lot of talk about how it would appear these faith-based organizations are bigoted and maybe even arrogant for wanting to express their views. I think it is the opposite. The government here, absent the Boustany amendment, is being arrogant and bigoted.

It could be, if the government wants to take advantage of the location, let us say, of a Hebrew school in downtown New York, that it is the best possible route of caring for people in need in that area. Why would the government think that it is our position, our prerogative, to insist that the Hebrew school hire somebody outside their faith tradition? It is the ultimate of arrogance on the part of the Federal Government.

And to those who are concerned about the constitutional issues, may I remind my colleagues the Supreme Court actually ruled on this matter. In a 1987 case, Corporation of the Presiding Bishop v. Amos, the Court supported this kind of approach.

Ms. WOOLSEY. Mr. Chairman, I yield 15 seconds to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Chairman, I just want to make clear the Supreme Court cases made it clear that you could discriminate with your personal church money, but not with Federal money. All of the cases are consistent. In fact, if my colleagues read the cases, they point out that if you are using Federal money, you cannot discriminate.

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

I want to read two paragraphs from a letter from Barbara Pickney, who is head of the St. Landry Parish Head Start program and is State president of the Louisiana Head Start Association.

Paragraph number 1: ''I have become aware that an amendment has been offered by Representative Boustany, a Republican from Louisiana, to the Head Start bill on the House floor today that would give faith-based organizations providing Head Start services the right to discriminate with Federal funds against employees who are of different faiths. As the State President of the Louisiana Head Start Association, I strongly oppose such an amendment.''

Then she goes on to say, ''I am greatly concerned that the provision to remove civil rights protections for employees could have a negative impact on the children and families who participate in these programs. Tens of thousands of at-risk 3- and 4-year-old children currently in Head Start could lose their teachers, who often are the most important adults to whom they have bonded, other than their parents; not because those teachers are doing a bad job, but because they are the wrong religion.''

That was Barbara Pickney, St. Landry Parish Head Start program, State president of the Louisiana Head Start Association.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, you can use whatever rhetoric you want, but at the end of the day, this amendment not only legalizes religious discrimination in America, it pays for that discrimination using American taxpayer dollars.

It is disappointing to me, and I think to the vast majority of Americans, that on the same day we are pleading with Iraqis to provide religious freedom to their citizens, the Republican leadership and this House, with this amendment, is saying it is okay to force an American citizen to choose between his or her faith and his or her job. They are saying it is okay for American citizens to have to pass someone else's private religious test to qualify for a publicly funded job.

I do not think most Americans are going to think that is okay. I think they are going to be offended by it. I think people of faith are going to be offended by the fact that some in this House think that groups have got to be able to discriminate based on religion in order to make their programs work.

The fact is, this amendment supports and allows and subsidizes racial discrimination in job hiring, and no amount of rhetoric can deny that.

I do not know how the majority can stand up and say it is okay to put up a sign, paid for by tax dollars, saying no Jews nor Catholics need apply here for a federally funded job, even though they might have a Ph.D. in education and 20 years of experience helping children get a head start in life; they can still put up that sign. I wonder what the majority is going to say and people think they are going to say the first time a Christian is denied a job by a Muslim group that has received $1 million in Federal funding to run a Head Start program and say, no Christians need apply here for a job.

Mr. Chairman, our country has more religious tolerance than any other Nation in the world and more religious freedom than any other Nation in the world because we have not allowed this kind of discrimination in America.

This is taking America down the wrong path. Defeat this amendment.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Chairman, since 1965, Head Start has provided 22 million children, American children, with the education and health and social services to lead productive lives. It is the most successful school readiness program in the Nation. It has always received bipartisan support. I want to commend the chairman and the committee for producing a very good bill that reauthorizes Head Start so America's children get the same type of investment that we have been providing Iraqi children.

I find myself puzzled why you would take such good legislation and play politics with it when we can make progress. The rest of the country is looking at us and asking us to please put politics aside and put progress first. Do not divide Americans along religious lines. That is not the America they want; they want an American that comes together, recognizes our differences, and makes progress rather than politics.

Mr. Chairman, it is amendments like this that remind me why 29 percent of the American people think the Congress is doing a good job, but well over 75 percent of the American people think this Congress is failing to meet the obligations and the challenges that America has. You today can get a bill passed in a bipartisan vote, unanimously, with everybody understanding because we are investing in America's children, and you chose to take that progress and play politics in the most ugly way, by pinning American against American based on their religion. This does not represent America's values, it does not represent your values, and you chose to put politics over progress. It reminds me when I look at today's data why the American people hold this Congress in the lowest esteem it has in over 15 years.

Invest in America's future. Choose these children. Give them the best start they can for productive lives where they can come and be contributors to this country. No, we do not take the progress. The chairman of the committee did a good job in the committee, producing a good bill that builds on the progress of the last 40 years and continues to invest in America's children, and you chose to put an amendment on this floor, unprecedented, that chose to divide America, not unite it, to choose politics over progress, and to continue the same policies that has taken this Congress to the lowest esteem ever in the American people's history.

Mr. BOEHNER. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, the previous speaker talked about how we brought this bill out of our committee and brought it to the House, with a unanimous vote out of the committee, 48 to nothing. One of the reasons that this language was not included in the original bill was to try to create a spirit of bipartisanship in moving the process along.

But the American people elected us to come here and make decisions on their behalf. We are having a free and open debate about this issue. No one should denigrate the majority because we want to have a debate and want to have a vote. We have had this debate many times in this House. It has passed every time on a bipartisan basis, and I expect it will pass on a bipartisan basis again today.

The issue here is a simple one. In the 1964 Civil Rights Act, and amendments to it in 1974, religious organizations were granted an exception in their hiring practices so they could hire people

of their own faith. I think most people would understand that. Over the years, religious organizations have been involved in doing all types of good works, including providing programs in their communities. But, for far too long, these organizations have been denied the use of Federal dollars in order to preserve their religious heritage.

Over the years, a number of programs passed by this Congress have been signed into law that have allowed religious organizations to maintain the rights given to them under the 1964 Civil Rights Act and provide services with Federal funds. As a matter of fact, Bill Clinton, Bill Clinton, during 8 years in office, signed 4 laws into law that had the same identical language as being offered to this bill today.

Mr. EMANUEL. Mr. Chairman, will the gentleman yield?

Mr. BOEHNER. I yield to the gentleman from Illinois.

Mr. EMANUEL. Mr. Chairman, as somebody who worked for President Clinton as his senior advisor, President Clinton did not support, nor did he introduce in his welfare bill, anything that you are saying, and I will say he never promulgated those rules or enforced that. Mr. Chairman, as the gentleman knows, that is not correct.

Mr. BOEHNER. Mr. Chairman, reclaiming my time, the point is, President Bill Clinton signed these laws into law, knowing that the language that we are offering today was included.

What we have been trying to do in the Work Force Investment Act, the Community Services Block Grant Act, today in the Head Start Act, is bring some consistency to the Federal rules and regulations in terms of allowing faith-based providers to offer services without having to give up their protections under the Civil Rights Act.

□ 1515

Now, if you want to change the 1964 Civil Rights Act and say to religious organizations, you can have your exemption on hiring, unless you take a Federal dollar, fine. Go have that debate in the Judiciary Committee, bring it out here, and we will vote on it. But this is not the forum to deny those organizations their own rights.

Ms. WOOLSEY. Mr. Chairman, I yield 10 seconds to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Chairman, in the original welfare reform bill by President Clinton, this provision was never in it. Second, it was unconstitutional, and it was never promulgated by President Clinton in the rulemaking. He does not support that provision. If you want to support something that President Clinton believed in, then try fiscal responsibility and start balancing the budget. This is not what he believes, and the gentleman from Ohio knows that, Mr. Chairman.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. I thank the gentlewoman for yielding me this time.

Mr. Chairman, again, no group is barred from participation. If this amendment is adopted or not adopted, any organization that could sponsor a program with this amendment could sponsor it without the amendment if you would agree not to discriminate. Now what we are doing, you can try to dress it up a little bit, but we are talking about a policy where someone wants to refuse to hire Catholics, Jews, and Muslims just because they are prejudiced. If that offends you, then I do not have to explain to you what is wrong with this amendment.

If it does not offend you, then I am going to have trouble explaining to you what is wrong with this amendment. The 1964 Civil Rights Act has been cited. Let us remember the vote on that amendment was not unanimous. Obviously a lot of people back then, virtually every Representative from my home State of Virginia, voted against the Civil Rights Act. But let us remember what it said in the religious exemption. It said you could discriminate if your work is connected with carrying on the church activities.

Now, obviously it is okay with church money, but a contract to administer a Head Start program is a contract for government services. It is not a gift to the church to advance religious missions. It is a contract to administer a federally funded program.

Now, since 1965, it has been illegal to discriminate in Head Start for all sponsors. It is okay to discriminate with the church money, just not with the Federal money. Let us remember also that when you talk about discrimination based on religion, you are talking about discrimination based on race, because some religious groups are, to the nearest percentage, 100 percent black; others, to the nearest percentage, 100 percent white. So your Head Start staff can start looking like your church.

This is a bad amendment. It is ugly. We should not turn the clock back on civil rights. If there is a problem in employment, where the employer does not like to hire people of different races or religion, traditionally it has been a problem of that employer. We need to support the victim, as we have for the last 40 years. This is a bad amendment, and it needs to be defeated.

Ms. WOOLSEY. Mr. Chairman, I yield myself the balance of my time.

This is an amendment that allows Federal funding to support discrimination. It is paid for by Federal tax dollars. It will strip civil rights protections by allowing religious organizations to discriminate in hiring on the basis of religion for Head Start positions, and I repeat, using Federal taxpayers' money.

Under the amendment, a religious organization could tell a potential Head Start teacher, of all of the applicants we have seen, you would be the best one to teach our kids, but we are not going to hire you, because you are not the right religion.

As I said earlier, Head Start kids are at risk as it is, without their teachers being chosen because of their religion instead of whether they are the best qualified.

Mr. Chairman, I ask the members of this body, think before you vote yes on this. Think before you set a precedent that has Federal funding paying for discrimination based on religion.

Mr. BOEHNER. Mr. Chairman, I yield myself 30 seconds.

What we are trying to do here is preserve the rights given to religious organizations under the 1964 Civil Rights Act. And for the Members who have been paying some attention to this, we know that Members on different sides of the aisle, and frankly it is on a bipartisan basis, have deeply held convictions about this. Clearly, we are not in real agreement.

But this is an issue that the House really should decide and the House should vote on. I am glad that we are having this debate once again, because the longer we have the debate, clearly, the evidence is coming down that the winning side continues to prevail.

Mr. Chairman, I yield the balance of my time to the gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Mr. Chairman, I do not know how much clearer this can be made. We keep having this circular debate on so many issues. I will just go back to the law one more time. We have mentioned over and over, title VII, Civil Rights Act, 1964, states specifically, and this is the verbiage, ''This subchapter shall not apply to an employer with respect to the employment of aliens outside any State, or to a religious corporation, association, educational institution, or society, with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities.''

There is no way we can change this. This is the verbiage. This is the language.

What we are saying here is that a faith-based organization cannot be expected to sustain their religious mission if we do not uphold this statute. It is very plain.

If a choir director or a youth director also serves as a Head Start employee, you certainly should not have to hire somebody that does not sustain the mission of the church.

Mr. GENE GREEN of Texas. Mr. Chairman, I rise today to show my opposition to the Boustany Amendment.

Head Start has been one of the most successful education programs in our Nation's history.

It is successful because it brings public, private and faith based organizations together to provide a common good.

Head Start helps disadvantaged youth get a firm foundation on which they can build a strong education.

Mr. BOUSTANY's amendment would allow faith based organizations to circumvent civil

rights laws governing hiring practices by entities receiving federal funding.

I strongly believe in the case of Head Start, that this is inappropriate. Head Start programs are not allowed to decide what religion or race the children they serve are.

Nor should they be able to eliminate qualified candidates for employment based on their religious beliefs.

In my district, thousands of children are served by Head Start and almost every major religion is represented by a Head Start program in Houston.

This amendment could lead to divisions in partnerships between Head Start providers and communities.

Currently, many of these relationships are harmonious because our community, religious leaders, and educators keep the diverse interests of our community a priority.

I believe this amendment could lead to a shift in those priorities and therefore urge my colleagues to vote against this amendment.

Mr. CUMMINGS. Mr. Chairman, I rise today to oppose the Boustany amendment to the School Readiness Act of 2005 (H.R. 2123). This amendment would abolish long standing civil rights protections that ensure federally funded jobs in the Head Start program are not subject to discrimination.

At a time when 37 million Americans endure the plight of poverty, Congress is tragically debating an amendment that would undermine a successful anti-poverty program. Head Start provides disadvantaged children with a genuine head start in life to outrun the clutches of limited opportunities. While H.R. 2123 is not a perfect bill, it positively maintains the successful federal-to-local structure of Head Start and wisely promotes ''smart accountability.''

Mr. Chairman, the Boustany amendment needlessly dismantles the bipartisan spirit of the underlying bill in an attempt to rectify a nonexistent problem. For decades, faith-based organizations that provide Head Start services have ably met the needs of children, while adhering to the law protecting their 198,000 teachers and 1.4 million volunteers from employment discrimination. The Boustany amendment would repeal those protections, allowing faith-based Head Start providers to establish a ''religious test'' to dictate personnel decisions for positions funded with federal tax dollars.

In fact, the Boustany amendment could allow discrimination on practically any basis. Those whose race, gender, or lifestyle are not aligned with a particular interpretation of faith could be prohibited from federally funded employment under the guise of preserving religious expression. For instance, in deciding who gets hired and fired from Head Start, do we really want an individual's position on contraception or creationism to be equally as relevant as their professional qualifications? Head Start teachers should be judged not by faith, but by teaching ability.

That is why hundreds of faith-based and civil rights organizations are leading the fight against this discriminatory amendment. The Boustany amendment is a poison pill that represents the worst of partisan politics. At a hearing held by the Government Reform Subcommittee on Criminal Justice, Drug Policy and Human Resources, of which I am the Ranking Member, David Kuo, former Deputy Director of the White House Office of Faith-Based and Community Initiatives, testified that:

''At the same time, many members of the president's own party expressed equal parts apathy and antipathy towards this agenda. Money for the poor? Why it will just get wasted, they said . . . all we really need to do is make sure that we have a huge political fight over religious charities right to hire and fire based on their own faith. That way Republicans will be seen as fighting for religion and Democrats will be seen as fighting against it. 'It is a good fight to have,' I heard time and again. A good fight for partisanship perhaps, but less good for the poor.''

His words are telling of how some in this body are using religion to divide the nation and to enact federally subsidized discrimination. That is most unfortunate.

As many of my colleagues have pointed out and I will repeat for emphasis—current law already supports the notion that faith-based organizations can use its own private funds to decide who it wants to hire on the basis of religion, they simply cannot discriminate in hiring with American taxpayers' dollars. Discrimination with federal dollars is the real issue, not faith-based organizations providing Head Start services. Faith-based organizations are and will continue to be critical partners in providing these services.

Mr. Chairman, in this new century so rich with opportunities to right the wrongs of our past, let us embrace our democratic values and put the needs of our children ahead of partisan political interests. I encourage my colleagues to vote ''no'' on the Boustany amendment, and if passed, to vote ''no'' on final passage.

Mr. RUSH. Mr. Chairman, today we are debating whether or not we should repeal civil rights provisions in Head Start reauthorization, and allow religious organizations that use federal funding to discriminate in hiring and firing based on an individual's religious beliefs. In a time when we are forcefully trying to persuade other countries to include protections against religious discrimination in their constitutions, it is astounding that we are here, in the United States Congress, trying to repeal these same protections for our own citizens.

As a practicing ordained minister, I find the Boustany amendment to be unnecessary, unwise, and unproductive. The Boustany amendment would allow religious organizations to waive civil rights protections that nonreligious organizations must abide by. The provisions that currently govern Head Start have been in place and have been working effectively for decades. Religious organizations operate over 5 percent of all Head Start programs, abiding by the civil rights provisions, and there is no need for Congress to take this unprecedented step that Mr. BOUSTANY is proposing. Never before has Congress ever repealed existing civil rights protections by adopting an amendment on the House Floor, without the benefit of committee hearings, debate, or expert testimony.

In fact, H.R. 2123, the School Readiness Act, passed through the Education and the Workforce Committee by a bipartisan, unanimous 48–0 vote. Now, some Members of Congress are attempting to sabotage this bill by attaching this unconstitutional, divisive amendment to it. Maybe this is a way for Members who are against Head Start anyway, to try and derail the program. Mr. BOUSTANY knows that Democrats will note vote for an amendment that allows federally funded organizations to discriminate against any Americans on any grounds.

Republicans are trying to make us choose between early childcare for our neediest students and civil rights protections for the rest of our citizens. I wonder what the real motivation is behind bringing up this amendment.

It is truly a shame that Members of this House are playing politics with a bill that affects millions of our young children, and which millions of Americans have come to trust and rely on. No, Mr. Speaker, I will not vote for a bill that repeals civil rights protections. I will not vote for federally funded discrimination. It is unconscionable that Members of Congress would try to reverse the progress that we have made on civil rights in this country. What message are we sending to the rest of the world, including the newly-established democracies struggling to find a balance between religious freedom and civil liberties in their own laws and constitutions?

Adopting the Boustany amendment will send our country in the wrong direction. This is just another example of where the Republican Leadership wants to take our country, and I hope all our citizens are watching carefully. I urge a ''no'' vote on the Boustany amendment.

Mr. BOUSTANY. Mr. Chairman, on September 22, 2005, I returned to my district to prepare for Hurricane Rita, which was projected to hit southwest Louisiana, and I was unable to be present during House consideration of H.R. 2123, ''School Readiness Act of 2005.'' Had I been present, I planned to offer an amendment that would allow faith-based Head Start providers to participate in the program and maintain the character of their organization through their employment practices. I would like to thank my colleague, Representative JOHN BOEHNER, for introducing this amendment in my absence.

It is critical that faith-based organizations that are willing to serve their communities by participating in federal programs are not forced to give up who they are to participate. They cannot be expected to sustain their religious mission without the ability to employ individuals who share the tenets and practices of their faith or who are dedicated to upholding the values of the organization. These groups should not be forced to abandon who they are because they want to assist the community; we lose too many good people who want to help when we put that barrier in their way.

Now, more than ever before, we are seeing first hand the good work these groups are doing in my region of the country. In the aftermath of Hurricane Katrina, faith-based organizations were among the first to reach out a hand in service to those impacted by the disaster.

The 1964 Civil Rights Act makes it clear that faith-based groups have a federally protected right to maintain their religious nature and character through those they hire. If we do not include the provision to allow them to exercise their right we are continuing to discourage potential providers, who could provide needed learning experiences, from participating in the program.

Let me be clear, we are not talking about discrimination—nothing in the amendment will allow a faith-based provider to discriminate. The Boehner amendment merely allows faith-based providers to exercise their rights under the Civil Rights Act and help their neighbors by participating in this federal program.

We have a long history of making social service legislation more inclusive by extending these rights in various federal programs. Despite the attacks launched by opponents of this amendment that we will hear today, former President Clinton actually signed four separate pieces of legislation that explicitly allow religious organizations providing social services to make employment decisions based on religion, including the Welfare Reform Act of 1996 and the Community Services Block Grant Act of 1998.

We have also passed these protections in other legislation in the House, most recently on the Job Training Improvement Act, H.R. 27.

The Boehner amendment to the School Readiness Act would simply make Head Start consistent with the legislation governing other major social service programs amendment, and I urge support of this amendment.

The Acting CHAIRMAN (Mr. TERRY). The question is on the amendment offered by the gentleman from Ohio (Mr. BOEHNER).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Ms. WOOLSEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio (Mr. BOEHNER) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: amendment No. 2 by the gentleman from Indiana (Mr. SOUDER), amendment No. 4 by the gentleman from Florida (Mr. STEARNS), amendment No. 5 by the gentleman from Illinois (Mr. DAVIS), amendment No. 10 by the gentlewoman from Colorado (Mrs. MUSGRAVE), amendment No. 12 by the gentleman from Ohio (Mr. BOEHNER).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. SOUDER

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. SOUDER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 153, noes 266, not voting 14, as follows:

[Roll No. 488]

AYES—153

Akin
Baca
Baird
Bartlett (MD)
Becerra
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blumenauer
Boozman
Brown, Corrine
Burton (IN)
Cannon
Capito
Capuano
Cardin
Case
Chabot
Chandler
Costello
Cramer
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (IL)
Davis, Jo Ann
DeFazio
DeLauro
Dent
Doolittle
Duncan
Emanuel
English (PA)
Etheridge
Evans
Farr
Filner
Fitzpatrick (PA)
Flake
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gibbons
Gillmor
Gonzalez
Goode
Green, Al
Gutierrez
Gutknecht
Hayworth
Hensarling
Hoekstra
Holden
Holt
Hostettler
Hulshof
Inslee
Israel
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Keller
Kennedy (MN)
Kennedy (RI)
Langevin
Larson (CT)
Lee
Lewis (GA)
Lewis (KY)
Lipinski
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marshall
Matheson
Matsui
McHenry
McKinney
McNulty
Meeks (NY)
Melancon
Menendez
Millender-McDonald
Miller (FL)
Moore (KS)
Moore (WI)
Moran (KS)
Musgrave
Nadler
Napolitano
Nunes
Oberstar
Otter
Pallone
Paul
Payne
Pence
Peterson (MN)
Platts
Radanovich
Ramstad
Rogers (KY)
Rohrabacher
Rothman
Roybal-Allard
Royce
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shadegg
Shaw
Simmons
Smith (NJ)
Sodrel
Souder
Stearns
Strickland
Tancredo
Tanner
Taylor (NC)
Tiahrt
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wamp
Waters
Watt
Weldon (FL)
Whitfield
Wu
Wynn

NOES—266

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berman
Berry
Bishop (NY)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boren
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Butterfield
Calvert
Cantor
Capps
Cardoza
Carnahan
Carson
Carter
Castle
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Crenshaw
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeGette
Delahunt
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Drake
Dreier
Edwards
Ehlers
Emerson
Engel
Eshoo
Everett
Fattah
Feeney
Ferguson
Foley
Ford
Fortenberry
Fossella
Frank (MA)
Gallegly
Gerlach
Gilchrest
Gingrey
Gohmert
Goodlatte
Gordon
Granger
Graves
Green (WI)
Grijalva
Hall
Harman
Harris
Hart
Hastings (FL)
Hayes
Herger
Herseth
Higgins
Hinchey
Hobson
Honda
Hooley
Hoyer
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jackson (IL)
Jenkins
Jindal
Johnson, Sam
Kanjorski
Kaptur
Kelly
Kildee
Kilpatrick (MI)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Linder
LoBiondo
Lucas
Mack
Marchant
Markey
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris
Meehan
Meek (FL)
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moran (VA)
Murphy
Murtha
Myrick
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nussle
Obey
Olver
Osborne
Owens
Oxley
Pascrell
Pastor
Pearce
Pelosi
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Ross
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Saxton
Schmidt
Schwartz (PA)
Schwarz (MI)
Sensenbrenner
Sessions
Shays
Sherman
Sherwood
Shimkus
Shuster
Simpson
Skelton
Slaughter
Smith (TX)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Sullivan
Sweeney
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tierney
Turner
Upton
Walden (OR)
Walsh
Wasserman Schultz
Watson
Waxman
Weiner
Weldon (PA)
Westmoreland
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Young (AK)
Young (FL)

NOT VOTING—14

Boswell
Boustany
Brady (TX)
Buyer
Camp
DeLay
Green, Gene
Hastings (WA)
Hefley
Hinojosa
Kind
Ortiz
Poe
Weller

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. TERRY) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1558

Messrs. King of Iowa, REYNOLDS, ROSS, PEARCE, CARNAHAN, BERRY, Ms. HARRIS and Mr. REYES changed their vote from ''aye'' to ''no''.

Ms. WATERS, Messrs. WELDON of Florida, FLAKE, FARR, HOEKSTRA, MORAN of Kansas, LEWIS of Kentucky, RAMSTAD, ROGERS of Kentucky, SIMMONS, Ms. JACKSON-LEE of Texas, Mr. GARRETT of New Jersey, Mr. LANGEVIN, Mrs. JONES of Ohio, Messrs. WAMP, DUNCAN, CUELLAR, SCOTT of Georgia, JEFFERSON, Ms. VELÁZQUEZ, Messrs. BISHOP of Georgia, TOWNS, FORBES, MILLER of Florida, LEWIS of Georgia, Al GREEN of Texas, Mrs. NAPOLITANO, Messrs. SANDERS, MEEKS of New York, WYNN, SCOTT of Virginia, FITZPATRICK of Pennsylvania, TANNER, WATT, INSLEE, Ms. LEE, Mr. GILLMOR, Ms. CORRINE BROWN of Florida, Mr. PAYNE, Mr. CROWLEY, Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. EVANS, DOOLITTLE, MOORE of Kansas, HENSARLING, OTTER, MENENDEZ, GONZALEZ, Ms. ROYBAL-ALLARD, Messrs. FILNER, BACA, SERRANO, BECERRA, CARDIN, PALLONE, NADLER, Ms. SCHAKOWSKY, Messrs. CHABOT, SHAW, MARSHALL, ISRAEL, Ms. DELAURO,

Messrs. EMANUEL, LARSON of Connecticut, CRAMER, MCNULTY and HOLDEN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. STEARNS

The Acting CHAIRMAN (Mr. TERRY). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. STEARNS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 411, noes 0, not voting 22, as follows:

[Roll No. 489]

AYES—411

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinchey
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Wamp
Wasserman Schultz
Waters
Watson
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—22

Boswell
Boustany
Brady (TX)
Buyer
Camp
DeLay
Edwards
Green, Gene
Hastings (WA)
Hefley
Hinojosa
Johnson (CT)
Kind
Melancon
Myrick
Ortiz
Poe
Schakowsky
Walsh
Watt
Weller
Young (FL)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. TERRY) (during the vote). There are 2 minutes remaining in this vote.

□ 1605

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. DAVIS OF ILLINOIS

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. DAVIS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 401, noes 14, not voting 18, as follows:

[Roll No. 490]

AYES—401

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Grijalva
Gutierrez
Gutknecht
Harman
Harris
Hart
Hastings (FL)
Hayes
Hayworth
Hensarling
Herseth
Higgins
Hinchey
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller

Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Mack
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—14

Blunt
Carter
Flake
Franks (AZ)
Hall
Herger
Johnson, Sam
King (IA)
Marchant
McHenry
Myrick
Price (GA)
Sessions
Shadegg

NOT VOTING—18

Baker
Boswell
Boustany
Brady (TX)
Buyer
Camp
DeLay
Diaz-Balart, L.
Goode
Green, Gene
Hastings (WA)
Hefley
Hinojosa
Kind
Lynch
Ortiz
Poe
Weller

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

□ 1613

Mr. GINGREY and Mr. MARCHANT changed their vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MRS. MUSGRAVE

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Colorado (Mrs. MUSGRAVE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 175, noes 241, not voting 17, as follows:

[Roll No. 491]

AYES—175

Aderholt
Akin
Alexander
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Calvert
Cannon
Cantor
Capito
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hayes
Hayworth
Hensarling
Hobson
Hoekstra
Hostettler
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCrery
McHenry
McKeon
McMorris
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Otter
Oxley
Paul
Pearce
Pence
Petri
Pickering
Pitts
Pombo
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Schmidt
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shuster
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Tancredo
Taylor (NC)
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—241

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boren
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fitzpatrick (PA)
Ford
Frank (MA)
Frelinghuysen
Gerlach
Gonzalez
Gordon
Green, Al
Grijalva
Gutierrez
Harman
Hart
Hastings (FL)
Herger
Herseth
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Oberstar
Obey
Olver
Osborne
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Regula
Renzi
Reyes
Rogers (MI)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Shimkus
Simmons
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wu
Wynn

NOT VOTING—17

Baker
Boswell
Boustany
Brady (TX)
Buyer
Camp
DeLay
Green, Gene
Hastings (WA)
Hefley
Hinojosa
Kind
Lynch
Ortiz
Peterson (PA)
Poe
Weller

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. TERRY) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1621

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. BOEHNER

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. BOEHNER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 220, noes 196, not voting 17, as follows:

[Roll No. 492]

AYES—220

Aderholt
Akin
Alexander
Bachus
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Calvert
Cannon
Cantor
Capito
Carter
Case
Castle
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hayes
Hayworth
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—196

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kirk
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Sherwood
Simmons
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—17

Baker
Boswell
Boustany
Brady (TX)
Buyer
Camp
DeLay
Gohmert
Green, Gene
Hastings (WA)
Hefley
Hinojosa
Kind
Lynch
Ortiz
Poe
Weller

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 1629

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. TERRY, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2123) to reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes, pursuant to House Resolution 455, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Ms. WOOLSEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 231, noes 184, not voting 18, as follows:

[Roll No. 493]

AYES—231

Aderholt
Akin
Alexander
Bachus
Barrett (SC)
Barrow
Barton (TX)
Bass
Bean
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Bradley (NH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Calvert
Cannon
Cantor
Capito
Cardoza
Carter
Case
Castle
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Costa
Cramer
Crenshaw
Cubin
Cuellar
Cunningham
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Edwards
Ehlers
Emerson
English (PA)
Eshoo
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hayes
Hayworth
Hensarling
Herger
Herseth
Hobson
Hoekstra
Holden
Hostettler

Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOES—184

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bartlett (MD)
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Clay
Cleaver
Clyburn
Conyers
Cooper
Costello
Crowley
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Duncan
Emanuel
Engel
Etheridge
Evans
Farr
Fattah
Filner
Flake
Frank (MA)
Gonzalez
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Maloney
Manzullo
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tancredo
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wynn

NOT VOTING—18

Baker
Boswell
Boustany
Brady (TX)
Buyer
Camp
DeLay
Gohmert
Green, Gene
Hastings (WA)
Hefley
Hinojosa
Kind
Lynch
Ortiz
Poe
Smith (NJ)
Weller

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1646

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GENE GREEN of Texas. Mr. Speaker, due to Hurricane Rita approaching the Texas Gulf Coast and the Houston area, I have been excused from today's proceedings.

I would like my positions regarding votes taken on H.R. 2123, the School Readiness Act, and amendments to this Act entered into the CONGRESSIONAL RECORD. Let the RECORD reflect I would have voted the following way: Rollcall No. 486—"yes"; rollcall No. 487—"yes"; rollcall No. 488—"yes"; rollcall No. 489—"yes"; rollcall No. 490—"yes"; rollcall No. 491—"no"; and rollcall No. 492—"no."

I would also vote for final passage of H.R. 2123.

Mr. ORTIZ. Mr. Speaker, on Thursday, September 22, 2005, I was not present to vote, on H.R. 2123, the School Readiness Act of 2005, as I was in my district making preparations for Hurricane Rita's landfall.

Had I been present, I would have voted as follows:

The vote on final passage would have been a difficult one for me, but I would have ultimately been forced to vote against the bill. Using Federal funding to run a program should preclude that program from discriminating in hiring decisions. Our country has a strong tradition of religious freedom, and I cannot support a vote that chooses to ignore that. However, that should not diminish the fact that I remain a strong supporter of education and the Head Start program.

Additionally, as a Hispanic member of Congress, I recognize the importance of civil rights in our country. America has fought hard to rectify transgressions of the past, and to turn back that work is not a position I can endorse. H.R. 2123 unanimously passed out of committee—demonstrating clear bipartisanship and maintaining the longstanding civil rights provision which has been part of the Head Start program since 1972. It was designed to protect over 198,000 Head Start teachers and staff and over 1,450,000 parent volunteers from employment discrimination based on religion in federally-funded Head Start programs, and should not have been eroded.

Rollcall No. 478—"no"; rollcall No. 479—"yes"; rollcall No. 480—"yes"; rollcall No. 481—"yes"; rollcall No. 482—"yes"; rollcall No. 483—"yes"; rollcall No. 484—"yes"; rollcall No. 485—"yes"; rollcall No. 486—"no"; rollcall No. 487—"yes"; rollcall No. 488—"yes"; rollcall No. 489—"yes"; rollcall No. 490—"yes"; rollcall No. 491—"no"; rollcall No. 492—"no"; and rollcall No. 493—"no."

Mr. BOUSTANY. Mr. Speaker, on September 22, 2005, I returned to my district to prepare for Hurricane Rita, which was projected to hit southwest Louisiana, and I was unable to be present during House consideration of H.R. 2123, "School Readiness Act of 2005." Consequently, I missed rollcall No. 488 on amendment No.ed 2 offered by Representative SOUDER, had I been present, I would have voted "nay." I also missed rollcall No. 489 on amendment No.ed 4 offered by Representatives STEARNS; had I been present, I would have voted "aye." On rollcall No. 490 on amendment No.ed 5 offered by Representative DAVIS, I would have voted "aye." On rollcall No. 491 on amendment No.ed 10 offered by Representative MUSGRAVE, I would have voted "aye." On rollcall No. 492 on amendment No.ed 12 offered by Representative BOEHNER, I would have voted "aye." On rollcall No. 493 on the passage of H.R. 2123, "School Readiness Act" I would have voted "aye."

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2123, SCHOOL READINESS ACT OF 2005

Mr. DREIER. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill (H.R. 2123), the Clerk be authorized to correct section numbers, punctuation, citations, and cross-references and to make such other technical and conforming changes as may be necessary or appropriate to reflect the actions of the House in amending the bill.

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

There was no objection.

GENERAL LEAVE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2123.

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

There was no objection.

AMENDMENT PROCESS FOR H.R. 3402, DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT, FISCAL YEARS 2006 THROUGH 2009

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet next week to grant a rule which could limit the amendment process for floor consideration of H.R. 3402, the Department of

Justice Appropriations Authorization Act, Fiscal Years 2006 through 2009.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in room H–312 of the Capitol by noon on Tuesday, September 27, 2005. Members should draft their amendments to the bill as reported by the Committee on the Judiciary on July 27, 2005, which is expected to be filed with the House on Thursday, September 22. Members are also advised that the text should be available for their review on the Web sites of the Committee on the Judiciary and the Committee on Rules today.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format, and should check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House.

AMENDMENT PROCESS FOR H.R. 3824, THREATENED AND ENDANGERED SPECIES ACT OF 2005

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet next week to grant a rule which could limit the amendment process for floor consideration of H.R. 3824, the Threatened and Endangered Species Act of 2005. The Committee on Resources is marking up H.R. 3824 today and is expected to file its report with the House early next week.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in room H–312 of the Capitol by 10 a.m. on Wednesday, September 28. Members should draft their amendments to the text of the bill as ordered reported by the Committee on Resources, which should be available on the Web sites of the Committee on Resources and the Committee on Rules by 2 p.m. on Monday, September 26.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to the chief deputy whip for the purpose of ascertaining the schedule for the following week.

Mr. CANTOR. Mr. Speaker, I thank the gentleman from Maryland for yielding.

Mr. Speaker, the House will convene on Tuesday at 12:30 p.m. for morning hour and at 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to Members' offices by the end of the week. Any votes called on these measures will be rolled until 6:30 p.m.

On Wednesday and Thursday, the House will consider additional legislation under suspension of the rules as well as two measures under a rule: the Endangered Species Recovery Act of 2005; and H.R. 3402, the Department of Justice Appropriations Authorization Act.

Mr. HOYER. Mr. Speaker, I thank the chief deputy whip for that information.

If I could call the gentleman's attention to October. Clearly, the first two weeks in October, as we all know, have a number of holidays, including Columbus Day holiday, which have impacted the schedule. It has been announced that we will not have votes the second week of October; but we still do not have, as I understand it, a clear picture of the first week of October.

We have a number of Members from the west coast who indicate that they will not be able to travel on Wednesday. There has been some discussion about possibly meeting Thursday and Friday. Could the gentleman give me his thoughts or the thoughts of the majority with reference to that particular week, particularly as it relates to Wednesday which, as the gentleman probably knows as well as any of us, is a problem for some of our Members. I yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman from Maryland for yielding. We do plan to be in session that first week of October, the week of October 3, after the Rosh Hashana holiday. We would expect to have legislative business on both Thursday and Friday of that week.

Mr. HOYER. Mr. Speaker, reclaiming my time, let me ask the gentleman, if we are in session on Thursday, again, because many of our Members will not be able to travel on Wednesday, would I be correct in assuming that votes would be delayed until 6:30, as they usually are on a travel day? I yield to my friend.

Mr. CANTOR. Mr. Speaker, I would just say to the gentleman that votes will be delayed until the Members have adequate time to return for those who live on the west coast.

Mr. HOYER. Would that be 6:30? I hate to press the point; but, obviously, Members, for purposes of planning and travel and reservations, need to have pretty precise knowledge of when they have to be back here for votes. I yield to my friend.

Mr. CANTOR. Mr. Speaker, I cannot tell my friend from Maryland that votes will be at 6:30. All I can say is there will be adequate time for folks on the west coast to be back here in Washington on Thursday for the votes that will be called. I would say further that we will be checking flights to ensure that Members will be back in time for the votes.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that information and for that concern. I think that would be appropriate.

Might I suggest that by next week we have some more precise advice in terms of time so Members can plan accordingly.

Mr. CANTOR. I thank the gentleman for that suggestion.

Mr. HOYER. Mr. Speaker, there was thought that we might meet tomorrow; that is obviously not happening. It is my understanding Friday is on the schedule for next week. Can the gentleman tell me how likely it would be that Friday, while there for contingencies, the likelihood of our meeting on Friday? Does the gentleman have any thought on that? I yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman for yielding. I would also note that the end of the fiscal year is next Friday. That looming date could lead to a flurry of appropriations activity; and, therefore, Members should expect the House to be in session next Friday.

Mr. HOYER. Mr. Speaker, reclaiming my time, given that assumption, can the gentleman tell me when he would expect to have on the floor a continuing resolution, in light of the fact we clearly will not have passed most of the appropriations bills prior to the end of the fiscal year? I yield to my friend.

Mr. CANTOR. Mr. Speaker, I would say to the gentleman that I do not believe that the chairman of the Committee on Appropriations has completed his consultations or made his decisions on the specifics of the legislation that we would need to pass next week to continue Federal programs after September 30, so I really cannot get into any more detail than that, because I do not think the chairman has completed his discussions.

Mr. HOYER. Mr. Speaker, reclaiming my time, if am I to understand about the discussions then as to what would be in the CR, the advice I would have, for whatever it might be worth, is that we try to consider it prior to Friday, in light of the fact that Friday is the last day, and if a glitch occurs, for whatever reasons, I would hope that the majority would bring a CR to the floor either Wednesday or Thursday, so that if we have a problem that we may be able to deal with that either Thursday or Friday.

But if we have not considered it until Friday and a glitch occurs, we are going to be in a bad spot with reference to the end of the fiscal year and the lack of funding authority for many agencies at that point.

I do not know whether the gentleman wants to comment on that or not, but I yield to him if he does.

Mr. CANTOR. Mr. Speaker, I thank the gentleman for that suggestion, and it will be duly noted.

Mr. HOYER. I thank the gentleman. I have noted that all of my suggestions are taken with great solemnity and consideration on your side of the aisle, and I very much appreciate it.

ADJOURNMENT TO MONDAY, SEPTEMBER 26, 2005, AND HOUR OF MEETING ON TUESDAY, SEPTEMBER 27, 2005

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next, and further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, September 27, 2005, for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

PRAISING THE AFGHANISTAN ELECTIONS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, although the war on terror is far from over, this past weekend's successful elections in Afghanistan were a clear sign that we are on the right track in winning the war. More than 12 million people in Afghanistan stood strong in the face of the Taliban and voted in their parliamentary elections.

But we should not be surprised. Earlier this year, Afghanistan's President Hamid Karzai came to Washington to ensure the American people that these elections would be a resounding success in the face of terrorists, and he was right.

Even though Taliban terrorists killed five candidates and four election workers leading up to the election and on Sunday murdered another 15 people, election turnout was still impressive. Despite the danger, the Afghani people's thirst for democracy was great. The vote was also a major milestone for Afghan women who have long been oppressed. There were 580 female candidates, or 10 percent of the total.

Mr. Speaker, I am proud that the Afghanistan nation is strengthening and unifying the body of its parliament, allowing the Afghanistan citizens to operate as a collective action.

AMERICA'S GOLD STAR MOTHERS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. WILSON of South Carolina. Mr. Speaker, today I would like to recognize our Gold Star Mothers, a special group of American women who have lost either a son or daughter through service to our country.

Although these mothers have experienced a parent's greatest fear, they remain dedicated to supporting our military. By helping the men and women who serve in our Armed Forces, they are honoring their child's service in a positive way. Gold Star Mothers volunteer in our military hospitals, show compassion to our veterans, and care for the families of servicemembers. Their selflessness and generosity is an inspiration to all of us.

As the father of three sons who are currently serving in the military, I would like to express my appreciation for their support. Gold Star Mothers are making a difference in the lives of thousands of people.

On Sunday, I would like to encourage all Americans to take a moment to observe Gold Star Mothers Day in their communities.

In conclusion, God bless our troops and we will never forget September 11.

□ 1700

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. SODREL). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

(Mr. GUTKNECHT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. SCHIFF. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Oregon (Mr. DEFAZIO).

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

There was no objection.

REVAMP AMERICA'S FOSTER CARE SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

Mr. SCHIFF. Mr. Speaker, last week I introduced the Fostering Our Future Act of 2005, a bill to help our Nation's foster youth by strengthening dependency courts and requiring accountability. Foster care is a critical safety net for half a million abused and neglected American children.

It is, however, a system in need of drastic reform and greater support. Twenty percent of all foster kids will be forced to wait over 5 years for a safe, permanent family. Even worse, almost 20,000 older youth age out of the system without the assistance of a permanent family every year.

Frequent foster home transfers create turbulence and insecurity that heighten the emotional behavior and educational challenges faced by these youth. The doubling of the foster care population since the early 1980s compounded this problem by creating enormous caseloads and taxing the capacity of foster homes. The end result is that foster kids, through no fault of their own, are more likely to experience homelessness, unemployment, and other life course problems despite their courageous resilience.

Imagine what it is like to be 8 years old, neglected by your parents and then taken away from them, living with a family that is not your own, confused by the court proceedings that govern your future, frightened that you might be transferred to another home and alienated and from your peers who talk about mom and dad. Imagine what that feels like.

These children deserve better. They should be guaranteed physical and emotional safety. They should have continuing relationships with caregivers and loved ones. They should have an informed voice in the legal decisions made about their lives. And they should enter early adulthood prepared to live a healthy, happy, and productive life. We have a responsibility to these children to meet these goals, and anything less is unacceptable.

Practitioners and policy experts have conducted thorough analyses and advanced proposals to overhaul the foster care system. The most prominent is a comprehensive 2004 report by the bipartisan Pew Commission, and identified several areas where the Federal Government can support these kids by strengthening the Nation's foster care systems.

The Pew report found that State dependency court systems are failing to sufficiently track cases, and trained personnel, unlike State child welfare agencies, they did not receive Federal funds to do so.

Interagency collaboration and performance measurement, where they exist, are inconsistent, both within and between State systems, and tend to focus on bureaucratic needs rather than outcomes.

Finally, these systems struggle to retain qualified dependency attorneys

who are often burdened by substantial debt. A recent survey found that almost a third of those practicing dependency attorneys graduated law school with over $75,000 in outstanding loans, and 44 percent of them currently owe over $50,000.

High turnover among dependency attorneys has led to a dearth of experienced lawyers who have a comprehensive understanding of the system and can maintain valuable relationships with their young clients.

The Fostering Our Future Act responds to each of those shortcomings. My bill authorizes grants to State dependency court systems to track and analyze caseloads as well as to train court personnel. These grants are leveraged by requiring that the recipient court systems collaborate with the State's corresponding child welfare agencies and track a series of critical performance metrics.

The legislation further establishes a loan forgiveness program to attract and retain qualified child welfare attorneys. By encouraging statewide interagency collaboration and data-sharing by tracking cases and training court personnel, by ensuring that effective representation is available to children and their families, and most importantly, by focusing on child welfare outcomes, this legislation will keep the needs of children and families rather than the needs of bureaucrats front and center.

I commend the child welfare workers of America for the invaluable services they provide and for constantly struggling to get this issue the attention that it deserves. Foster care plays a crucial role in our Nation's child welfare safety net, but it is in desperate need of support and reform.

I call my colleagues to join me in working for the day when all of the Nation's children are protected, nurtured, and loved, and I invite you to join me in that quest by cosponsoring the Fostering Our Future Act of 2005.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Ms. WOOLSEY. Mr. Speaker, I ask unanimous consent to speak out of order for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

TIME TO LEAVE IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, since the United States went to war in Iraq over 2 years ago, Congress has approved spending bill after spending bill to pay for military operations in Iraq. But one thing Congress has never done is provide any meaningful oversight over the war and the spending on the war.

Think about it. Congress will spend money on Iraq to the point of busting our already fragile budget, but when it comes to truly managing the war, Congress is nowhere to be found. Every single Member of Congress and the people that elected them should be utterly ashamed of this absence of Congress on this crucial issue.

With nearly 2,000 United States troops killed, another 15,000 wounded, and countless thousands of Iraqis killed, the U.S. Congress must, must exercise its oversight responsibilities to determine why things are going so drastically wrong in Iraq.

I have repeatedly asked the House Armed Services Committee and the House International Relations Committee to hold hearings on Iraq. Unfortunately, no committee has undertaken a serious and thoughtful examination of the war.

Since Congress has continually failed in that duty, I have decided to take matters into my own hands. Last Thursday I held a hearing to assess how to end the war in Iraq and start bringing our troops home.

Such luminaries as former Senator Max Cleland, four-star Marine Corps General Joseph Hoar, and former U.S. Ambassador David Mack testified at this hearing.

Thirty Members of Congress, bipartisan Members at that, all of whom are frustrated by the same tired policies when it comes to Iraq, joined me at this hearing. The purpose of this hearing was to address not the when of ending the war, but how to end the war. After all, we should all be able to agree that the United States cannot continue to fight in Iraq indefinitely.

Given that fact, we need to start thinking about how the United States can responsibly leave Iraq without making a bad situation worse. As Senator Cleland so eloquently stated, ''When we talk about an exit strategy, we need to put the focus on strategy.''

If the hearing demonstrated anything, it is that we need to start bringing our troops home because it is our very presence in Iraq that is encouraging and uniting Iraq's insurgency. But the sad truth is that the Bush administration is doing nothing to help end the war. They have no plan for how to conduct the war, they had no plan for securing the country once Saddam Hussein was deposed, and now they have no plan for ending the war.

Well, if they do not, we will. That is what our hearing was about last week. We are trying to jump-start a debate in Congress that should have begun long ago.

The hearing was not about endorsing any one exit strategy, it was about putting all of them on the table and getting the discussions started. It was about encouraging the rest of the Congress to take a strong stand against permanent U.S. military bases on Iraq's soil and Iraqi control of Iraqi oil.

The American people have known for many months that the rationale for going to war in Iraq was based on fraud and lies. They have known that the war will continue to drain our resources and kill our young men and women in the military.

Now, two-thirds of Americans support a partial or complete military withdrawal from Iraq. It is time for Congress to start getting that message. And it is time for Congress to catch up with the American people and to catch up with the witnesses at Thursday's hearing.

ORDER OF BUSINESS

Ms. DELAURO. Mr. Speaker, I ask unanimous consent to speak out of order for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

HONORING THE LIFE OF MICHAEL J. ADANTI

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Connecticut (Ms. DELAURO) is recognized for 5 minutes.

Ms. DELAURO. Mr. Speaker, it is with the heaviest of hearts that I rise today to join family, friends, colleagues, and community members in remembering the remarkable life of Michael J. Adanti, who was taken from us in a tragic car accident this summer.

Mike was not only an outstanding member of our community, but a dear friend whose strength, support, warmth, and kind heart I will miss.

Throughout his life, Mike demonstrated a unique commitment to public service. A teacher, administrator, mayor, and university president, Mike dedicated a lifetime to enriching the lives of others. After graduating from Southern Connecticut State University, Mike took a position with the Ansonia School District where he taught for 3 years, helping to provide our youngest children with the educational foundation they would need for future success.

He went on to serve two successful terms as the mayor of the City of Ansonia before returning to Southern Connecticut State University as the first Dean of Personnel Administration, the beginning of what would be an

extraordinary professional career at Southern.

Throughout his long association with Southern, Mike held a number of positions which gave him a unique perspective of the university's operation. After being called upon twice to temporarily lead the university through difficult times, it was no surprise when Mike was appointed president of the university, a position which he held for 19 years until his retirement just 2 years ago.

Mike was the longest serving president in the Connecticut State University System. His inauguration as president was a unique event for the Southern community, as he became the first Southern Connecticut State University graduate to be named president of his alma mater, and the first graduate to become president of any university.

Southern flourished under Mike's direction, with new academic initiatives, prestigious awards for faculty and students, and national honors for Southern's sports teams. His vision and leadership brought the university increasing regional recognition for excellence in public higher education, leaving an indelible mark not only on the university, but on the surrounding communities of Greater New Haven as well.

Mike was as much a community leader as he was a leader in education. The New Haven Symphony Orchestra, New Haven's Long Wharf Theater, and the International Festival of Arts and Ideas are just a few of the organizations that benefited from Mike's generosity and volunteer efforts.

He also served as a board member of the Naugatuck Valley's Birmingham Utilities Water Company, the Ansonia Economic Development Commission, and the Connecticut Police Foundation.

Mike was a reflection of all that a civic leader should be. His involvement in so many local organizations, in addition to his commitment to public education and his students touched the lives of thousands, making all of the difference in their lives.

When someone is taken from your life so suddenly, it is often difficult to understand why such tragedy occurs.

My deepest sympathies go to Mike's wife of 43 years, Linda, his two children Kristen and Michael, and his three grandchildren.

Though he is no longer with us, the legacy that he has left, that of his commitment to opening the doors of opportunity for young people through education, will certainly continue to live in the hearts and minds of all who knew him.

Through those special memories, Michael Adanti will continue to inspire excellence.

□ 1715

The SPEAKER pro tempore (Mr. SODREL). Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

(Mr. BURGESS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

(Mr. PAUL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HELPING ALL OF HURRICANE KATRINA VICTIMS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) is recognized for 5 minutes.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I, like many Americans, am watching and praying that Hurricane Rita does not cause the same level of death and destruction as past Category 4 and 5 hurricanes like Andrew and Katrina.

Watching the death and destruction wrought by Katrina was truly heartwrenching. What was even more unnerving was watching as many desperate victims stranded on their rooftops and surrounded by rising flood waters wrote makeshift signs begging for help. All they wanted was to be rescued and to have access to food and water. Those images have been stamped into the hearts and minds of Americans and people all over the world, and we must remind the administration that we will never forget.

How pretentious of our government to assume that everyone in the gulf coast region had the means to pick up at a moment's notice and hop in their cars and get on the highway towards safety. We must be aware of the ramifications of poverty in America and recognize that it is a real condition that many Americans face each and every day.

We cannot turn a blind aye to those trapped in a dismal socio-economic predicament that this administration's tax cuts for the wealthy and cuts in social programs have only exacerbated. Obviously, an investigation into the slow response by FEMA is warranted, an accurate, unbiased, independent investigation, not one that will be led by the President's own domestic security advisor or a partisan committee that was formed here in this Congress.

Does that make you feel confident that the inquiry into this administration's performance in response to Katrina will be fair and accurate?

Only a fool would allow the very people who botched the rescue efforts to be the ones to go back and determine what went wrong, what went right, and what lessons we have learned from this tragedy.

People have died because of the inaction by their government. That much we certainly know is true. Now we must move forward with an investigation that is independent and one with subpoena power so that we can avoid the mistakes of Katrina. People have died, and we need to find out why. I know that if we do an investigation in name only, then people will die again, and they will continue to lack confidence in their government's ability to help them in their time of need. People will die in Florida. People will die in Texas. People will die in States throughout the hurricane region if we do not learn from the lessons of Katrina and ensure that our failures are not repeated.

I also want to remind people that people in Florida were victims of Hurricane Katrina as well. Hurricane Katrina's first victim was Florida as it struck Broward and Miami-Dade counties as a Category 1 storm on August 25, leaving hundreds of damaged or destroyed homes and nearly 11,000 individuals seeking assistance.

These are the people that FEMA has decided do not need help. This woman here is standing in water up to her knees. Her cars are damaged. They are late model cars, not fancy ones; and they are the result of Hurricane Katrina hitting Florida. This is representative of what FEMA has denied individual assistance and denied help to.

FEMA's response to this woman and to the woman standing among the remains of her house is that ''you are on your own.''

What was FEMA's response to all the families in Florida's requests for help? It is the same as it was to the people in New Orleans who died the first days that Katrina struck here: ''you are on your own.''

Last night we learned that Florida's appeal to FEMA to help our victims of Katrina in Florida was denied once again. My question for FEMA is, hurricanes do not know State boundaries, so why does FEMA?

Florida has been hit by six hurricanes over the past year and a half. Six. It is a constant plague that the residents of Florida deal with every single year, and the denial of aid to those in need is irresponsible and unconscionable. I introduced legislation this month that calls on FEMA to provide the much-needed assets to the

residents of Florida who are victims of Katrina. And I plead with my colleagues in Congress, do not turn your backs on the first victims of Katrina. Help those in need regardless of State line.

UPDATE ON IRAQ WAR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Virginia (Mr. WOLF) is recognized for 60 minutes as the designee of the majority leader.

Mr. WOLF. Mr. Speaker, I recently returned from Iraq and Afghanistan and Qatar with my administrative assistant Dan Scandling, and I wanted to give a report on what I saw and some recommendations for the Bush administration.

This was my third time to Iraq, second time to Afghanistan. This time we went to Baghdad, Tikrit, and Kirkuk. I have now been to all parts of Iraq except to Kurdish areas in the north. On previous trips we have been to Baghdad, Nasaria, Alkoot twice, and Basra.

I want to begin by praising the military, both active duty, Reserve and National Guard and note their very, very positive attitude and great, great morale. I also want to publicly acknowledge and thank them and praise their families in noting the sacrifices that they and their families are making. I also want to offer condolences to the families who have lost loved ones.

Before I go any further, Mr. Speaker, I want to read a passage from an online journal being kept by a chaplain I met from Gloucester, Virginia during my recent trip. We were in the Kirkuk area and he sat across the table from me and he told me this story.

We then got this from his Web page. It is incredibly moving and describes the quality of the men and women serving in uniform. It is the hero mission from a trip report excerpted with permission from Army chaplain J.D. Morris, ''Chronicles of Pastor J.D., January 27, 2005.''

He begins by saying, ''I was abruptly caught off guard today by one of the administrative privates from flight operations. He told me that the flight operations battle captain was looking for me. When I arrived to see the battle captain, he told me that I was given a hero mission for a young soldier who had died in battle only hours before.

''I had about 20 minutes to ready myself and go back by Blackhawk with Specialist Tussant to recover the soldier's body from his unit and to escort the hero to another base where he would be sent home to his family. I found Specialist Tussant, gathered my gear, and made my way to the flight line to board the aircraft. When I arrived everyone was as sober as I.

''I prayed over the aircraft, received our mission briefing, and then we departed. Once arriving to the location of the unit, I found the fallen soldier's unit neatly and sharply in formation next to the landing zone. Their clothes were muddy, their faces were downcast, and immediately you could sense their pain.

''Tussant and I immediately departed the aircraft and hastily made our way to the chaplain of the unit who was standing with his soldiers like a good shepherd. In the chaplain's arm was a large red Bible embraced against his chest.

''The soldiers carefully opened the back of the vehicle and solemnly and with honor removed the fallen friend from the vehicle. The black body bag hung in the hands of his friends.

''Tussant and I stood next to the vehicle and rendered a slow salute. We slowly and reverently followed the soldiers and the fallen comrade to the aircraft. Once arriving to the helicopter with the blades still churning and whirling, we all carefully placed the hero in the aircraft.

''The crew chief in the aircraft gently situated the new crew member, our hero. We stopped and prayed. As I turned to my rear, I looked back to see the rest of America's sons. Their chaplain, Chaplain Fisher, came to me, embraced me tightly and with a shattered voice said, 'Thank you for being here and escorting our friend part way home. Thank the unit for us for their help.'

''I could only return his embrace, pat his shoulder, and look into his face. I then boarded the aircraft. We began our assent. As the helicopter blades aggressively moved the air and we began to rise off the ground, I looked to my right out the window to see the unit being swayed by the turbulence but still saluting their fallen hero.

''As long as I could see the hero's unit standing at attention in the blowing turbulence, saluting their combat buddy, the soldiers remained standing steadfast, saluting and honoring our hero.

''I certainly will never forget this hero mission. I was very quiet back to Speicher, which was the base. I could only think of the pain a family back home was getting ready to experience. I prayed for the family.''

Why did I go to Iraq for the third time and Afghanistan for the second time? I have been hearing a constant drumbeat of negative stories all summer, so I wanted to assess the situation again with my own eyes. Not believe the administration, nor believe the media, but I wanted to see firsthand for myself.

I saw a lot of positive things. Hospitals are being renovated. Schools are being built. Pipelines are being repaired. And the Iraqi Army is being trained.

In the comparison of my first visit and my second visit and this visit 2 weeks ago, I could see the improvement that was being made. Security, however, is still the greatest challenge we face. Who did I meet with? I met with Lieutenant General Petraeus, Ambassador Khalilzad, members of Iraqi leadership including the President, Prime Minister, and the Speaker of the National Assembly, NBC officials, folks from the Department of Justice, Department of Transportation, Department of Energy, the USAID, and a lot of soldiers from privates to generals.

What were my impressions? There is real progress being made, but there are still concerns. Security remains our greatest challenge. The country is far from being safe. Everywhere I went I was escorted by a full complement of heavily armed soldiers and security personnel; and even when riding in an armored vehicle we had to wear body armor and a helmet.

Until we get security under control, our efforts to rebuild Iraq will continue to be a challenge. If embassy officials, USAID staff, NGOs, nongovernmental organizations, contractors and, yes, even the media cannot move around the country without the fear of being attacked, our efforts to bring peace to Iraq will be hampered.

I was told that many contractors remain unwilling to bid on work because of the level of violence that still exists and those who take on projects spend enormous sums of money on private security.

I was also told the World Bank, a critical element to rebuilding Iraq, had refused to send staff because of security concerns.

But I saw improvement from when I was there the first time, an improvement from when I was there the second time. And this administration has failed to articulate the improvement that has been made in Iraq.

To really understand what has happened in Iraq, you have to talk to the service men and women, God bless them, who are serving or who have served there. They are the fathers, the mothers, the sons, daughters who put their lives on the line in this war on terror. They are the neighbor down the street who has been called up for Reserve or Guard duty. They are the Federal employee who has volunteered for a temporary assignment.

I was struck by the number of people saying the Iraq they see on TV every day is not the Iraq they know. In the mess halls, throughout the mess halls there are six to eight television sets that are on every day to CNN. One junior officer told me that he does not even watch the news anymore. Most soldiers said they were bewildered on what they were seeing on the news compared to what they know was taking place firsthand in Iraq.

In speaking with our service personnel, I was troubled to learn our troops serving in Iraq and Afghanistan are well aware of the media coverage of anti-war protests in America. Especially the vigil of Cindy Sheehan. The televisions, as I said, in the mess hall and sleeping quarters are turned to CNN and MSNBC and Fox. I had several soldiers express wonderment on what is taking place back home.

□ 1730

At one point, an enlisted soldier pulled me aside and asked if he could talk to me in private. He said that he had been watching the news about the protests and wanted to know if the American people were still behind the soldiers. I reassured him they were, but he just looked at me and asked me again, almost as if he did not hear me, when he said he did not believe me. Then he said that when some of his fellow soldiers learned about the antiwar vigil, their morale was impacted.

I raise this point because I believe that it is important for the antiwar protesters to know how their actions may potentially be perceived by our soldiers on the front lines who are doing their jobs. Protest and dissent is the beauty of democracy, and it is important in a democracy, and everyone has the right to protest and dissent, but I think it is important that the antiwar demonstrators need to understand that our soldiers know about their actions. They need to realize that those actions can have a negative impact on the soldiers' spirits.

Personally, I believe that President Bush should have met with Cindy Sheehan. I still believe that President Bush should meet with Cindy Sheehan. I have read news accounts of some of the President's meetings with families of soldiers who have been killed in action. You cannot help but get emotional reading the reports.

The President's a compassionate man. He shares in the grief of those families who have lost a loved one, and I know that the burden on him as Commander in Chief is tremendous. So, therefore, I believe that he should include Cindy Sheehan in his next meeting with families of fallen or wounded soldiers.

Some of my thoughts on return. There are good people on both sides of the decision to send U.S. forces to Iraq. We are now there. We cannot abandon the mission to bring peace and stability to Iraq and its people. We need to recognize the rebuilding of Iraq needs to be based on a different timetable and not necessarily on our timetable or what we think is going to take place today.

The Bush administration needs to do a better job of explaining what failure to succeed in Iraq means to the average person in the United States. Let me state that again. The Bush administration needs to do a better job of explaining what failure to succeed in Iraq means to the American people.

I asked everyone I met with, at every meeting I went to, and when I would get up in the morning and go into the mess hall by myself at 5:30 or 6 o'clock in the morning, I would sit down with the soldiers and ask them and ask everyone this question: What does failure mean if we fail in Iraq? The responses were chilling.

Somalia, one person said. Have you seen the movie Black Hawk Down, he said. Another person said the former Yugoslavia, and I was in the former Yugoslavia during the fighting in Sarajevo and Vukovar, and the gentleman from New Jersey (Mr. SMITH) and I were in Vukovar before the slaughter took place. All the people that we met with in Vukovar all were later slaughtered when the Serbs came in and slaughtered them in Vukovar.

Civil war. More foreign fighters pouring in across the border, the destabilization of the entire region. They said maybe the Kurdish area might make it. They said in the south the Iranians will come across the border for the Shiite and the Sunni triangle. Civil war, militia against militia. Killing and death and destruction. Foreign fighters coming in from Syria, pouring in, with more killing taking place.

Others said the destabilization of the gulf region. Some said perhaps the overthrow of the Jordanian Government. Others said perhaps the overthrow of the Saudi Government. Another said perhaps the overthrow of the Egyptian Government.

Oil exports. One person said, if you think oil's expensive now, if this region explodes, the price of oil in the West will be astronomical. The impact on the economy of the West.

Others said that Iraq will turn into a haven, a haven for terrorists, similar to what happened when the West left Afghanistan on its own, and then the Taliban was able to constitute itself. Osama bin Laden moved to Afghanistan and Kandahar and Jalalabad and Kabul. We saw the pictures of gunning down women in burqas, and we saw what took place, and there will be a haven for terrorists to operate.

Loss of American credibility. Danger, danger. We put in our report: danger to the American people. More emphasis with regard to the Jihadists in the West thinking that they can bring terror again. Thirty people from my congressional district died in the attack on the Pentagon, and we all know what took place with regard to the World Trade Center because we just went there and remembered on 9/11 what took place.

The administration has failed to tell the American people the ramifications of failure in Iraq. If we were to pull out of Iraq and fail in Iraq, the ramifications on the war on terror are very, very bad for the average American.

I want to take a few minutes to read what others are saying about the potential consequences of failure in Iraq.

From Lawrence Kaplan, senior editor at New Republic, speaking at a recent conference by Notre Dame's Kroc Institute and Fordham University's Center on Religion and Culture, said the following: ''Preventing Iraq from coming apart at the seams means preventing the country from becoming what Afghanistan was until recently, a vacuum filled by terrorist organizations, which is what one National Intelligence Council report suggested Iraq is now fast becoming.

''Hence, Americans must ask themselves exactly what they owe Iraq.

''If U.S. policy truly has a moral component,'' and our policy must have a moral component, ''if U.S. policy truly has a moral component,'' he said, which I believe it does, ''the answer must be something better, or, at the very least, not worse, than what went before.''

From Kenneth Pollack, Senior Fellow at the Brookings Institute, a distinguished scholar in this region, in an op-ed that ran in the New York Times on July 1, said, ''No matter what one thinks of the invasion, it is clearly in our best interest, to say nothing of the Arab world's, that we succeed in Iraq.''

From Francis Fukuyama, professor of international political economy at the Johns Hopkins School of Advanced International Studies, in a New York Times op-ed piece on August 31, said the following: ''If the United States withdraws prematurely, Iraq will slide into greater chaos. That would set off a chain of unfortunate events that will further damage American credibility around the world.''

From Michael Ledeen of the American Enterprise Institute and author of, ''Making War on the Terror Masters,'' in a June 17 article in the Dallas Morning News said, ''A precipitous U.S. withdrawal would obviously encourage the terrorists and the countries that support them. It would probably encourage them to expand their activities because they, too, are fairly focused against us in Iraq right now. They'd probably be more inclined to attack us elsewhere.''

Keep in mind the two attacks, the London subway bombings not too long ago, that al Qaeda has now taken credit for.

In the same article, Tony Cordesman, who is a distinguished military analyst for the Center for Strategic and International Studies said, ''A withdrawal that left an Iraqi Government unable to defend itself would shatter U.S. standing in the Middle East, making it harder for moderate Arabs to stand up to Islamic extremists who hope to overthrow their governments.

''Saudi Arabia, Kuwait, Jordan and other U.S. allies would find it very, very hard to hold together and deal with this problem without distancing themselves from the United States.''

Then he went on to say, ''And we need to remember that we are talking about a region in the gulf with about 40 percent of the world's proven oil resources.''

That is unbelievable. Now, why has the administration not laid out carefully to the American people what the ramifications are to our country and our citizens of failure? Time is not on the side of the administration. There is a sense that public support is waning in both the United States and Great Britain. No one believes we will lose the war in Iraq. If the war in Iraq is lost, it will not be lost in Iraq. It will be lost here at home. One general officer told me point blank: The center of gravity for our success in Iraq is the American public.

The Bush administration also needs to do a better job of letting the American people know how they can participate in this effort. In World War II, my dad served in World War II. We had war bonds. We had victory gardens. We had scrap metal collections. The American public supports the troops and wants to do more. There ought to be more opportunities where the administration can let the American people know how they can participate to help the effort, to help the young men and women who are serving in the military and their families.

For example, at a rest and relaxation facility in Qatar, there is a need for clothes for servicemen and -women after their activities, and they get 4 or 5 days off. They come to this center, and they have no shirts, and they have no shaving gear. There they have skirts and dresses and T-shirts and sweatshirts to wear. Well, the American people, if they knew it, would love to participate, would love to help. And the administration has to do a better job of telling the American people how they can participate and help, because there are many Americans wearing the uniform today and their families who are making a major sacrifice. Others would like to participate and be part of that.

Some of the major recommendations: The Bush administration should select a group of capable and distinguished individuals, some with a military background and others with extensive foreign policy experience, to go to Iraq and other parts of the gulf region and Afghanistan to comprehensively review our efforts. All the individuals, and I can name who they would be but I think it would be inappropriate because they have to be picked by others, but all of the individuals selected would be known for their honesty, for their integrity, for their competence, for their patriotism. They would love their country more than they would love their political party.

The group would essentially provide what I call fresh eyes on the target; the target, of course, being how we bring about success in Iraq and lead to whereby our young men and women can return home.

Upon this group's return, they would report to the President and the Congress, but more importantly, they would report to the American people. The motive would not be to find fault. One can always go back and say there were mistakes. Quite frankly, I believe that we should have never disbanded the Iraqi Army. But it would be a forward-looking report, to see what we can do in the best interests of our servicemen and how we can bring about success.

An independent, comprehensive review could help assure Americans, no matter what their position is on the war, that every effort is being made to protect our troops and realize their goal of a secure and peaceful Iraq, that it would look at what is going right and what is going wrong. I recognize that the Bush administration has sent other individuals to Iraq to assess the ongoing situation, but what I call ''fresh eyes review'' would be different, in that rather than just reporting back to the President or the Secretary of Defense or the Secretary of State, this group would also report back to the Congress and to the American people.

Frankly, I believe the administration has a moral obligation to the American people to do this and to provide this information. There are no downsides in such a review. In our daily lives, we regularly seek second opinions. As chairman of the House appropriations subcommittee with oversight of the State Department and the Justice Department, in addition to being the author of the National Commission on Terrorism, later known as the Bremer Commission, I am keenly aware of what is at stake if we fail to achieve our goals in Iraq.

□ 1745

In September of 1998, when I returned from having been in Algeria, where terrorism has killed over 100,000 people, the bombing of our embassy in Kenya and in Tanzania took place, and I introduced a bill to create the National Commission on Terror. When I introduced the bill on the floor of this House, I said that Osama bin Laden lived in Sudan from 1991 to 1996. There was very little interest by the Clinton administration for this. Very few agencies wanted to participate and cooperate, but, finally, they did.

This is the report of the Bremer Commission. It says, ''Countering the Changing Threat of International Terrorism,'' and it came out in the year 2000. And distinguished Members served on the commission, bipartisan members of the commission, Republican and Democratic members of the commission. In fact, the gentlewoman from California (Ms. HARMAN), who is the ranking Democrat on the Permanent Select Committee on Intelligence today was on the commission. The commission was made up of Paul Bremer; Maurice Sonnenberg; Richard Betts, Wayne Downing, who is a U.S. Army General, retired, with expertise; JANE HARMAN, a good Member of the House; Fred Ikle; Juliette Kayyem; John Lewis, Jr.; Gardner Peckham; and James Woolsey, who was the head of the CIA.

On the cover of the commission report that they came out with is a picture of the World Trade Center on fire. Now, the World Trade Center bombing took place on September 11, 2001. This was the picture of the World Trade Center on fire from the attack that took place in 1993, and no one paid any attention to it. They neglected it.

This group, this National Commission on Terror, could ensure that we are successful in this effort. They would travel to all parts of Iraq; the Shi'a south, the central Sunni Triangle, and the north, where the Kurds reside. They would have to go to the region for 7 to 10 days to 2 weeks. They would meet with general officers, junior officers, NCOs, specialists and privates in Iraq and in Afghanistan. They would meet with embassy officials and other Federal Government employees working in Baghdad. They would meet with civilian contractors and NGOs, nongovernmental organizations operating in the country. They would meet with Iraqi leaders and also ordinary Iraqis in country towns and villages.

And to better educate the American public about our ongoing efforts in Iraq and the gulf region, perhaps a select group of media should also accompany this group during its visit, not as a tool for U.S. propaganda but to ensure transparency. This would give the media the opportunity to travel to all parts of the country and report on both the good and the bad.

Because as many of my colleagues know, it is very difficult for the media to move around Iraq. The media has lost roughly 60-some people. Media have died. It is very difficult to get from point A to point B, from Baghdad to Kirkuk, or Baghdad to Nasaria, or Baghdad to Tikrit. This would give the media the opportunity to travel to all parts and to report on both the good and the bad. And the pool would include both broadcast and print media.

This fresh-eyes review would assess answers to such questions as the following:

How accurate a picture do we have of the insurgency? What is the realistic strength of the insurgency? Is the insurgency growing or diminishing in capability? What can we do to get better tactical intelligence on the enemy? And what will it take to get actionable intelligence? How reliable and effective is the growing Iraqi security establishment? What is its ethnic makeup? What is the power and effectiveness of local militias in the country, and how much of a problem do they pose in the longer term for the Iraqi Government? What role is Iran playing in the evolving political and security situation in Iraq?

We heard that the Iranians have poured across the border and are a destabilizing influence in what is taking place in Iraq. They would take a look at that.

What role is Syria playing? We have been told that the Syrians are allowing foreign fighters to pour across their border. This group could look at that and see if that is the case and see if there are ways of securing the Syrian border.

They would look at what will it take in terms of resources and organization and time to effectively control the Iraqi borders. Is there an anti-sabotage strategy to protect the energy infrastructure? If so, why is it not working? Are there alternatives?

They would look at what is the status of the efforts to organize the Iraqi ministries and get them up and running. Is progress being made? If not,

what more needs to be done? What criteria should guide the pace of withdrawal of American and Coalition Forces?

We owe it to the thousands of men and women who are in harm's way to test the process and ask the questions. We owe it to the American people. I urge the administration, having been there three times in Iraq, two times by myself, without anybody telling me where I could go or where I could not go, and two times in Afghanistan, where I led the first congressional delegation to Afghanistan with the gentleman from Lancaster, Pennsylvania (Mr. PITTS), and my best friend and former Congressman Tony Hall of Ohio. We owe it to the American public.

So in closing, Mr. Speaker, I urge the administration to act quickly to put together this team to offer fresh eyes on the target. There is nothing to lose.

And, lastly, Mr. Speaker, we owe it to the men and women who are mentioned in this article that I opened up with in the excerpts by Army Chaplain J. D. Moore, ''Hero Mission.'' I am asking this administration to support this group.

Mr. Speaker, I submit herewith for the RECORD the commission report I referred to earlier.

[Report from the National Commission on Terrorism]

COUNTERING THE CHANGING THREAT OF INTERNATIONAL TERRORISM

Appendix C: Commission Members and Staff

COMMISSIONERS

L. Paul Bremer III, Chairman, is the Managing Director of Kissinger Associates. During a 23-year career in the American diplomatic service, Ambassador Bremer served in Asia, Africa, Europe and Washington, D.C./ He was Ambassador to the Netherlands from 1983 to 1986. From 1986–1989, he served as Ambassador-at-Large for Counter-Terrorism, where he was responsible for developing and implementing America's global policies to combat terrorism.

Maurice Sonnenberg, Vice Chairman, is the senior international advisor to the investment banking firm of Bear, Stearns & Co. Inc. and the senior international advisor to the law firm of Manatt, Phelps & Phillips, LLP. He is a member of the President's Foreign Intelligence Advisory Board. He recently served as a member of the U.S. Commission on Reducing and Protecting Government Secrecy and as the senior advisor to the U.S. Commission on the Roles and Capabilities of the U.S. Intelligence Community.

Richard K. Betts is Leo A. Shifrin Professor of War and Peace Studies in the political science department, Director of the Institute of War and Peace Studies, and Director of the International Security Policy program in the School of International and Public Affairs at Columbia University. He is also Director of National Security Studies and Senior Fellow at the Council on Foreign Relations, and author of ''Surprise Attack: Lesson for Defense Planning.''

Wayne A. Downing, General, U.S. Army, retired in 1996 after a 34-year career, where he served in a variety of command assignments in infantry, armored, special operations and joint units culminating in his appointment as the Commander-in-Chief of the U.S. Special Operations Command. Since retirement, he was appointed to assess the 1996 terrorist attack on the U.S. base at Khobar Towers, Saudi Arabia, and to make recommendations to protect people and facilities world wide from terrorist attack. General Downing serves on several boards and panels in both the private and government sectors.

Jane Harman just completed a year as Regents Professor at U.C.L.A. where she taught at the Department of Political Science and Center for International Relations. Harman represented California's 36th Congressional District from 1992–1998 where she served on the National Security, Science and Intelligence Committees. Prior government experience includes Senate Counsel, White House Deputy Cabinet Secretary and DoD Special Counsel. Harman is currently seeking election to her former seat.

Fred C. Iklé is a Distinguished Scholar, Center for Strategic & International Studies. Dr. Iklé is Chairman of the Board of Telos Corporation and a Director of the Zurich-American Insurance Companies and of CMC Energy Services. Prior to joining the Center, Dr. Iklé served as Undersecretary of Defense for Policy and Director for the U.S. Arms Control and Disarmament Agency.

Juliette N. Kayyem is an Associate of the Executive Session on Domestic Preparedness, John F. Kennedy School of Government, Harvard University. She writes and teaches courses on counter-terrorism policy and the law. Ms. Kayyem has most recently served as a legal advisor to the Attorney General at the U.S. Department of Justice and as Counsel to the Assistant Attorney General for Civil Rights.

John F. Lewis, Jr. is Director of Global Security for Goldman, Sachs & Co., New York. Previously, he was Assistant Director-in-Charge of the National Security Division of the Federal Bureau of Investigation. Mr. Lewis managed the FBI's national counter-intelligence and counterterrorism programs. Mr. Lewis has held a variety of positions, including an appointment as Director of Intelligence and CI Programs, National Security Staff and previous Chairman of the International Association of Chiefs of Police Committee on Terrorism.

Gardner Peckham is Managing Director of the government relations firm of Black, Kelly, Scruggs & Healey with a practice focused on international trade, defense and foreign policy issues. Prior to joining the firm, Mr. Peckham served as Senior Policy Advisor to the Speaker of the United States House of Representatives. He also held several other senior positions in Congress and during the Bush Administration served as Deputy Assistant Secretary for Legislative Affairs at the U.S. Department of State and Director for Legislative Affairs at the National Security Council Staff.

R. James Woolsey is a partner at the law firm of Shea & Gardner with a practice in the fields of civil litigation, alternative dispute resolution, and corporate transactions; he also serves on several corporate boards. Previous to returning to the firm, Mr. Woolsey served as Director of Central Intelligence. His U.S. Government service includes Ambassador to the Negotiations on CFE, Under Secretary of the Navy, and General Counsel of the U.S. Senate Committee on Armed Services. He has served on many Presidential and Congressional delegations, boards, and commissions.

IRAQ

The SPEAKER pro tempore (Mr. SODREL). Under the Speaker's announced policy of January 4, 2005, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 60 minutes as the designee of the minority leader.

Mr. MCDERMOTT. Mr. Speaker, I cannot think how we could have had two better speeches than that of the gentleman from Virginia (Mr. WOLF), which he just made, and mine. My real sadness about this House is that this is not being done in a debate where all the Members are talking and listening about this very, very important issue.

The question that I think the gentleman from Virginia (Mr. WOLF) well raises is, why are we in Iraq? Now, I recently was in Jordan, and I was confronted by many of the Iraqis who have fled from Baghdad and other parts of Iraq. There are about a million Iraqis of middle class and above all living in Amman. The prices of real estate have gone up. It is very hard to find a hotel room. They have left.

I sat at dinner with a number of them, and the question that many of them asked me was, why is the United States in Iraq? And I sort of dismissed the ideas that have been advanced at various times in this Hall, that we are there for weapons of mass destruction, or we are there because of al Qaeda. Many people say we are there for oil. I think that is way too simplistic an explanation for what is going on.

Are we there to stop terrorism? Well, it is very hard to look at what is going on in Iraq and say that what we have done is to end terror. Rather, it seems like we have become a breeding ground and a training ground for terrorists.

After I had exhausted my ideas about what it might be about, I asked the Iraqis to tell me what they thought this was about. And they said, well, it is pretty clear that what your goal was, and you succeeded almost at this point, in dividing Iraq into three pieces and destroying Iraq as ever being an Arab nation. That was your goal from the start; and you have, by every decision you have made, you have worked in that direction.

Now, it was not a design that was clear. People have not understood this, in large measure because it was never enunciated in a public way by public figures saying we are going into Iraq to destroy it. We have talked about liberty, we have talked about democracy, we have talked about every other thing under the sun except the fact that the effect of our actions have been to destroy Iraq.

Now I will take you back to the appointment of the first governor of Iraq. Most people, if you ask them who that was, they cannot remember the name. It was a retired army general by the name of Jay Garner. He was appointed and he went over there, and he had the idea that perhaps the Iraqis should begin to take their own existence, now that Baghdad had fallen and with the Americans in control militarily, let the Iraqis put their country back together.

What happened to him? Anybody know? Well, I will tell you what happened to him. He was immediately relieved. He was taken out of the situation and Paul Bremer was brought in because Garner was not following the script, and they knew that Bremer would.

Now, just take a couple of things very early that Bremer did and you understand why the Iraqis feel the way they do about the situation today. The first thing he did was to dismantle an army. He disbanded an army of 500,000 people or so, all of whom had families, had homes, had children, had grandparents, had all the responsibilities of citizens of Iraq. They had salaries. They could pay for their families' food. They could pay for their families' housing. All of this was what they had been accustomed to.

Surely they had worked for Saddam Hussein. But to think that they all were bad and, therefore, should be disbanded and thrown to the winds was a terrible miscalculation about the attitude of the average soldier in the Iraqi Army. And what that action did was to send 500,000 Iraqis underground with a rifle and a grudge. We created 500,000 insurgents instantly by that action.

Now, why would you do that? Why would you want to go into a country that has an army that is functioning and not take off just the top layer, no, no, no; not take off the first couple of layers, maybe down to the sergeants or something, but to fire everyone and take away their income, their whole existence, if you thought that was in the best interest of the Iraqis?

But if you want chaos, put 500,000 people out on the street with guns and a grudge.

The second thing that we did, equally disruptive and equally destabilizing, was the decision to de-Baathize the government. Now, the Baath Party, the party of Saddam Hussein, which is secular, not religious, but a secular party of Arab nationalism, basically, and the decision to say that everybody in Iraq who belonged to the Baath Party was suddenly out of a job and out of government took another hundreds of thousands of people who were simply public servants who ran the utilities, ran the electric company, ran the sewage system, taught in the schools, did the marriage licenses, recorded land deeds, and whatever public servants in a society do. We suddenly said, if you are a member of the Baath Party, you are out of here.

□ 1800

We absolutely denuded this country of any government whatsoever. Now, you would not have to be older than about a seventh grade kid in this country to realize if you take away the Army and take away the government, you have chaos. If you go into the schools and you take away the teacher, take away the principal, the hall monitors, the kids are not going to run a very reasonable operation. That is what the educational system is about. Well, we did that to a whole society.

You can say we know, and you are standing down there in the well talking about this, but you never wanted to go to war in the first place.

One of the interesting things that I have done over the course of time since this all began was to read widely in the international press. It is very often difficult in this country, either in the press or in the media, to get anything like a comprehensive view of what is going on in Iraq and why we have so much difficulty. We have the strongest Army in the world. There is no question about that. We have the bravest, the best trained, the most able people in the world are over there representing in the United States Army and Marines, and Navy and Air Force. That has never been the problem or the question.

The question has been after the gunfire stops, what do you do? How do you run things? And from the very start, the administration has been dominated by people whose intention was to destabilize Iraq, in fact, into destabilizing very wide portions of the country. Not many of you have probably ever read the Jordan Times. That is the main newspaper in the city of Amman which is the capital of Jordan.

On August 10, 2005, an article appeared called, ''The Triumph of Neoconservatives in Iraq,'' and which I will include for the RECORD.

The article was written by a man named Abbas J. Ali. He is a professor and director of the School of International Management at Indiana University of Pennsylvania; obviously an Iraqi living in the United States, and he wrote this article.

If you read just this one article, and I wish I could get it into the head of every Member of Congress, part of the reason for putting it in the CONGRESSIONAL RECORD is people can get it and read it and see it. You do not need to Google it. It will be in the CONGRESSIONAL RECORD. He begins by saying that three recent developments in the Iraqi political arena reaffirm the growing fear of destabilization and things are becoming worse. First, the U.S. Secretary of Defense Donald Rumsfeld predicts that the mess in Iraq could go on for 12 years. The New York Times reported on June 30 that a type of federalism, as supported by Washington, where each region in Iraq gains power approaching true sovereignty, and that means creating three separate countries.

Mr. Speaker, our goal or what we are actually doing right now is creating three separate countries. We are not creating Iraq. We are going to put some shine on it and try and say it has a constitution, but the pieces will be sovereign from one another.

The third thing he says that happens is the appointment of Zalamy Khalilzad as Ambassador, who is a neocon and will do the neocon bidding from the start.

Now, this did not start with George Bush the second. This is not something new. I do not think you can lay it all off on the present occupant of the White House.

Dr. Ali writes that back in the 1970s, the neoconservatives recognized Iraq constituted a threat to their design for the Middle East, not because Iraq had ample natural resources, especially oil and water, but because the Iraqis were considered a spirited and cultured people displaying pride, patriotism and independent thinking. It had the best water system in the Middle East, it had the best sewage system in the Middle East, it had the best health care system in the Middle East. It was really a functioning country. For whatever you want to say about Saddam Hussein, and no one wants to say a good thing about him and we should not, his actions as a leader were awful, but when he was dealing with the running of the state, he did a reasonable job.

Now at that time in the 1970s, General Shinseki, then the U.S. Army Chief of Staff, pointed out, and remember Shinseki was the guy they fired because he gave them the truth about how many people this would take, Shinseki pointed out that in 2002 Paul Wolfowitz, and remember that name, now the head of the World Bank, as a young Pentagon analyst and a neoconservative, designated Iraq in 1979 as a menace that must be dealt with. Since then the invasion and occupation of Iraq have been primarily a neoconservative venture. The neocons have wanted this and that is why this article was entitled ''The Triumph of the Neocons in Iraq.''

If Wolfowitz was not enough, in 1982 a man named Oded Yinon accentuated the usefulness of internal strife and war with Iraq to foster the demise of Iraq as an Arab state. He notice that in the short run, it is Iraqi power which constitutes the greatest threat to Israel and that a division of Iraq into provinces along ethnic religious lines is possible. So three more states will exist around the major cities: Basra in the south; Baghdad in the middle; Mosul in the north; and Shiite areas in the south will separate from the Sunni and Kurdish north.

This is 1982, people were laying this out.

It is for this reason that the neoconservatives have made a very powerful argument, he goes on to say, and he quotes a man named Michael Ledeen, who is not just some newspaper reporter or somebody drifting in off the street. He was the former U.S. Under Secretary of State and he stated, ''Stability is an unworthy American mission.'' This is a man who was in the State Department, saying that stability is an unworthy American mission and a misleading concept to boot. He said we do not want stability in Iran, Iraq, Syria, Lebanon, or even Saudi Arabia. We want things to change. The issue is not whether but how to destabilize.

Think about that. The minds in the State Department, and this is an Under Secretary of State saying we want to destabilize.

Now there have been books. Lawrence Kaplan and Bill Kristol, they asserted in their book ''The War Over Iraq'' that this is more about even than the future of the Middle East and the war on terror, it is about what sort of role the United States intends to play in the world in the 21st century. They argue that the only plausible and sensible mission is to persistently supply American might in these parts of the world that constitute a threat to American interests.

And the mission, Michael Ledeen goes on to say, is ensure the total submission of the people in the region. He stated this in 2001. We have gone from 1979 all of the way up to 2001. We will not be sated, and this is an Under Secretary of State saying we will not be sated until we have had the blood of every miserable little tyrant in the Middle East and every last drooling anti-Semitic and anti-American mullah, imam, sheik, ayatollah either singing the praises of the United States or pumping gasoline for a dime a gallon on American bases in the Arctic Circle. Gasoline is not a dime a gallon.

Mr. Speaker, Mr. Ledeen and his men have worked and been very consistent and very determined. We are talking about a 25-year effort from 1979 to the present. But in the Bush second term, this article goes on, the neoconservatives appear to have secured indisputable domination in designating American foreign policy. They have situated themselves at the core of the three primary agencies responsible for foreign affairs: the National Security Council, and State and Defense Departments. Now, with Ambassador Khalilzad in Baghdad, they have him in position to carry this out from the green zone.

They are building the biggest embassy in the world in Baghdad. Why would you be building an embassy of that size for a country of several tens of millions of people unless you had some grand design, strategy into the future?

Now, if you look at this, you say to yourself, why? We have sacrificed 1,900 of our young men and women in this war. They have died. For what? To destabilize Iraq? That is what the people in the State Department and in this government are up to. It is why it has never made any sense.

We have had thousands of people come home to Walter Reed Hospital. I have been up there. I was a physician in the Vietnam era. I dealt with casualties coming back from Vietnam, 1968 to 1970. You do not have that experience and forget it. That is what got me into politics. I was going to be a doctor, a research doctor. I thought my life would be spent in medicine. But that experience of dealing with those casualties and realizing what the government did by its foreign policy, what it did to all of the people of this country, brings me to the floor today to talk about what we are doing in Iraq.

We have been misled in many, many, many ways. I do not go to these secret briefings they have in the House, because I know that the people who led us into this war are not going to tell us the truth even when the doors are locked when we are in private. They simply are not leveling with the American people.

The President says we are going to stay the course, and we put our governor in there, Mr. Bremer. We destabilized everything and things fell apart, and now we say oh, they are all coming over the border from Syria. There are only two places where they can come in where there are roads. It is very difficult to get in from that side. They are not capturing these people. They are killing people and they identify them just as they did in the Vietnam War. We have killed so many soldiers. The body count in Iraq is people who have died. That is okay. They have died, but they are not insurgents coming from somewhere else. By and large, the insurgency in this country of Iraq was created by sending 500,000 soldiers underground with weapons and a grudge. We are tasting the fruit of our planting those vines. Unfortunately, we have also in the process killed I do not know how many thousand because no one will count the number of Iraqis. It is as though they do not matter.

□ 1815

Nor do we talk about the number of them that are injured. When we look at that situation and we see what we are doing, we have to ask ourselves how much longer can we persist in staying there. The gentleman from Virginia (Mr. WOLF) and I might disagree at this point because he thinks that it is just going to be the end. Well, my belief is that we are already in a lose-lose situation.

Let me explain why I say that. We have gone into a country that was a secular country. People did not think of themselves as Catholics and Protestants like Northern Ireland. They did not fight about that kind of stuff. They thought of themselves as being tribal: I belong to this tribe; you belong to that tribe. We take care of our tribe; you take care of your tribe. We work out an arrangement. You get some; we get some. And that is basically how Iraq has run for thousands of years.

So the Americans came in, and suddenly we whipped up this business that is understandable in this country about religion. Shi'a do not like Sunni and Sunni do not like Shi'a. There is a much bigger force at work here that people simply, I think, maybe because it is complex, and I have got an hour, so I can talk about it a little bit and explain it, but simply do not understand the makeup of the Middle East.

There are two large groups of Muslim people. Iraq had Muslims from Shi'a and Muslims from Sunni. They also had Christians living there. They had Jews living there. They had Kurds living there. They were a secular society that did not go around checking people's religious card to see what they were. Our attempts, as we have gone in there, to create this chaos and turn it loose and say, well, you Shi'a have always been under the control of the Sunnis forever here, you are the majority. This is your chance to be the majority. So we have gotten them fighting. It is an old, old strategy. The British Empire used to use it all the time: let you and him fight and I stand by and watch and I control what is going on.

So we have gotten the Sunni and the Shi'a to fight each other. But what we do not understand is there is more than one kind of Shi'a. Some of the Shi'a are those living in Iraq. They are Arab in background. They are Arab tribal people who are Shi'a. And then there are the Shi'a who live in Iran. Iran, before it was called Iran, was called Persia. So in Iraq, people talk about Arabs and Persians. And the fight between these two countries is not about Sunni versus Shi'a. It is about whether those Persians are going to come in and take over our country. If this situation that we are setting up where we are going to have one part being Shi'a in the south and a little bit of Sunni here in the middle and the Kurds in the north, if that three-part government is set up, we will have set Persia, Iran, with a chance to invade. And as some of us said many, many months ago, the danger of this war is we are going to wind up with two Irans, one next to the other.

Now, one can say whatever they want about that; but, of course, Iran has been the source of a lot of tumult and terrorism and all kinds of stuff. So the question of having two of them does not sound like that makes things better in the Middle East. But that is what we are driving toward right now. We are driving in that direction.

What will derail it and the name people see on television once in a while, it is a young man and his name is Muqtada al-Sadr, S-a-d-r. Muqtada al-Sadr is a young flamethrower of a Shi'a, but he is Arab. And he, last week, turned out 200,000 people on the streets in Iraq to protest this constitution, which is going to give the control of the country to the Shi'a. He himself, Shi'a, that does not matter. What matters is he is Arab; so he is now aligning himself sort of imperceptibly, at least as far as Americans seem to be knowledgeable, with the Sunnis. The Sunni army that was sent underground is now aligning itself with Muqtada al-Sadr.

We then have created two equal forces. And every Iraqi I met said almost the same thing one way or other. They would say, If you succeed in pushing that constitution you people are pushing, and you wrote it and you gave it to those people and said pass it, there was never any agreement on it. They just passed it and brought it out.

They are going to put it out for referendum in October. If you succeed in passing that, you will have civil war in this country for 15 years or more. That constitution will not serve as a governing document for the Iraq of today because you have created so much dissension and given the Iranians such a chance to come in.

Now, we hear our President say, well, not only are they coming in from the west, from Syria; they are coming in from Iran. Of course they are. The leading spokesman for the Shi'a in Baghdad to whom everyone listens and is the one that our government responds to is a man named al-Sistani. Al-Sistani is a Persian. Someone told me, and I am not sure because I have not had a chance to check, that he did not actually vote in that Iraq election before because he was not a citizen of Iraq. He is a citizen of Iran. So the main spokesman with whom we have been dealing, and people will see his name, we call him a moderate, that he is a moderate Shi'a and all this. We have built him up. Well, he is a Persian and he is connected to all the Persians.

And Muqtada al-Sadr, of course we can see. I mean we have had plays from the Greek times of Oedipus Rex. We have got the old man and the young kid and they are fighting. Whatever the reasons are, the Shi'a-ness does not hold them together. Certainly their Arab-Persian thing is pushing these two apart, and Muqtada al-Sadr is going with the Sunnis.

Now, the Kurds sit up in the north; and for the first time since the World War I, they have been promised over and over again, and they have been let down over and over and over and over again, that they are going to have their own state. There are about 40 million Kurds. Most of them will live in Iraq, but large numbers of them live in Turkey to the north and Syria to the west and in Iran to the east.

And they are a fierce, independent people who are Sunni by religion; and the Shi'a, who are writing the constitution, say the Kurds' army, which are called Peshmurga, the Peshmurga has to come into the Iraq army. We cannot have an army in Kurdistan and an army in the rest of Iraq. It has got to be one army. Well, the Kurds say, I do not know how thick the ice is going to be on hell before that happens because we are never going to allow any army to come into the territory we have in Kurdistan. We are prepared to die because we finally have our own country.

They have a parliament that functions. They have two factions there that fight with each other, and it is like every other country. There are Democrats and Republicans. That is fine. They need that for government to work. But they have put down their arms against one another and are dealing with the outside world and saying, no, we will be a part of Iraq. We certainly will. We have oil up here in Kirkuk in the north, and we think we are entitled to some of the revenue from the oil, and we will run our area and we will educate our children and we will send them to the United States for medical school. There are a lot of Kurds in the United States going to school. They are very bright, very hard-working, very tough people. They have gone through a lot in the last 85 years since World War I when they were promised that they would have their own land.

If we look at that situation, we have the Kurds and we have the Sunnis and we have the Shi'a. One says to himself, gosh, you have just now painted a picture that you are saying a constitution will not bring them together. Well, let me say there is some hope. There is hope in this. But what it requires is the United States and the people, the neocons who think they have won, to recognize that they have not won anything. They have created a horrible, horrible costly mess that has cost us at least $240 billion so far and God knows how much more it is going to cost us, and it made us incapable of responding to our own people when problems came in New Orleans.

Part of the Governor of Louisiana's problem was that 13,000 of her National Guard were in Iraq. She could not call them out, to get their trucks and go out, help people, put sandbags, do whatever they do in that kind of situation. They were not there. That is just one element of what went on. Because we were enmeshed in this war in Iraq, we were unable to respond to them.

Now, God forbid that we are waiting for another hurricane, Rita, to hit the coast of Texas. We do not know what it is going to do. Are the Texans ready? How could they have gotten ready since what went on over here in Louisiana and Mississippi and Alabama? Do people think they have suddenly magically gotten ready for Texas? The Texas National Guardsmen who are over in Iraq, they are not home to take care of their people.

And we simply have a President who says we are going to stay the course, that we are going to keep doing the same thing we are doing in Iraq because it is the right thing to do and we are going to keep doing it. Well, there is an old joke in psychiatry about the definition of mental illness is doing the same thing over and over again and expecting a different result each time. We get the same result.

We are doing the same thing. We go into a town like Fallujah. We flatten it. Now we have gotten rid of those terrorists. We go away. And lo and behold, they come springing up again, coming back into the town. They know where we are. They just run off and hide. They are not going to confront our military head on head. That is not guerilla warfare. Guerilla warfare is to let the enemy figure that they have got it made and then get them when they are not paying attention. That is what they have done all over the country. We do not control any part of Iraq at the moment, except the Green Zone where we have a fence and barbed wire and razor wire and everything else. And the only way we are going to manage to undo this situation is for our administration to find some way, some way, to honestly say we are not going to establish permanent bases in Iraq.

□ 1830

When I suggested that to the Iraqis I talked to, they laughed. They said, your President is not going to say that. But our administration is going to have to say something like that, and then do a second thing. Because they have to say, we are not going to have permanent bases and we are going to leave the country in some orderly period in an orderly way. But before we go, we want to set up, and I suggest, and I do not know, maybe there is another place to do it; maybe Paris or some place, but Amman in Jordan, not very far away; it would be a place to convene an Arab summit made up of Sunni, Shia, Kurds, Turk men, Turk men are people who came from Turkey and have settled in this basic area; and have them go to a peace place and sit down and work this out among themselves.

They do not want their families killed. They do not want to have this continuing warfare. I mean, they are like everybody else. They want a place, a house for their family, they want food for their kids and their wife or their mother or their father, whoever; they want schools, they want health care, they do not want this continuing warfare with the people dying in the streets and the awful pictures we see. They do not want somebody falling down with a bridge, because there is a threat of some sort, people run out on a bridge and it collapses. They are not looking for that.

If we would get that summit going where everybody who had a stake would come and sit down and say, let us have a cease-fire in Iraq while we work on the problem here and see if we cannot come up with a way to govern a new country without Saddam. Everybody is glad he is gone. You do not find many people who say, boy, I sure wish Saddam was around. There is not anybody.

So it is not that they want to bring Saddam back at all. Some people say, oh, you are just talking about bringing Saddam back. No. These groups can sit down and work it out. Arabs have worked things out in their culture for thousands of years.

Now, there are also parties that would be interested in being helpful, perhaps, because my colleagues will remember we talked about Iraq has got Shia and Sunni in it. Well, what do we have in Syria? It is all Sunni. What do we have in Jordan? Almost all Sunni. What do we have in Saudi Arabia? Almost all Sunni. What do we have in Turkey? Almost all Sunni. These other countries have a huge stake in this not becoming a second Shia Persian threat

to their way of life, because they think, well, take Saudi Arabia. The area around the oil fields from which we get our oil, or the world gets its oil, the biggest oil fields in the world are right in the middle of a Shia area. So, if you have Iran and Iraq, and you moved on into Saudi Arabia, which is not very far, you suddenly have a crescent of Shia control of almost all the oil in the area. A big threat to everybody; to the Sunnis, certainly, to the Americans, to the Europeans. Everybody has a stake in this. And if you get a conference going where you have people sitting down talking and not killing each other, then they can work out an equitable arrangement and find a way to resolve this.

It cannot be dictated by the United States. Unfortunately, what happens again and again is that we have these parliaments. We have elected a parliament, and then we go in and tell them what they have to do. Here is what it has to look like. It has to have this provision, that provision, we do not like this, you take that out. We, by our heavy-handedness, have really tried to run everything in this situation. And it can be ended. It can be ended, if we will allow a process to begin in which Arabs can sit down among themselves and solve it.

Now, I tell my colleagues this because let me tell my colleagues how it works. I have a very good friend, a Jordanian, who told me a story that he knows. And this is Arab culture. A man was driving a cab and he drove the cab and he hit a man and killed him. Well, that means you are responsible, and the crowd was about to get him. This guy ran up the street and ran into the home of a young man and demanded that he be given sanctuary. That is the Arabic custom. You will give sanctuary. In fact, the young man, when the police came and when people came, he said, I never saw this guy you are talking about. I do not know what you are talking about. The crowd went away. He called his brother and said, take this man and take him home, so the man went home, was taken to a safe place. Then he went down in the street and discovered that the man that had been killed was his father. So now he has a legitimate cultural right to exact a price for his father's death. What would you do? You now know where the guy lives; you can go over to his house and kill him. He did not do that. He just left it alone. He met him in the street some months later, about four years later, met him in the street and he said, the guy knew who it was and he was frightened and he said, look, you and I will have coffee together. So they had coffee together. And he said, the man whose father had been killed said, you must put on a feast for our family in memory of my father. So the man put the feast on and the issue was gone.

People in this Arab culture have a long history of certainly violence, but also of peacefully resolving situations. And what we are doing by continually bombing; one of the things the Iraqi said to me was, you have to stop this business of kicking in the door of a guy's house and going in and dragging his wife out of bed and embarrassing her and him and making him look weak and impotent and all the rest, you have to stop that. You keep doing that, you keep making Iraqis angrier and angrier, and yet we continue to do these things. As long as we continue to do war and do not allow a peace process to begin to spring up, actually, the King Ab'dullah was here in the city today talking at the prayer breakfast. He, or his uncle, the Crown Prince al-Hasan, or there are other people who are trusted by both Shia and Sunni who could be seen as an honest broker.

But we must take the first step. We have to allow that to happen. If we continue to do what we are doing and stimulate, this will go on until probably the next election or beyond, until one day we do what we did, and that image, the very famous picture in Vietnam of that helicopter lifting off that building, it was not the embassy actually, it was a hotel down the street where people are hanging on the skids of this helicopter as it lifts off the ground, that is going to be our fate in Iraq if we continue on this path. Because we cannot win it with military might.

The time has come to talk. And we have never been able to get the gunfire down to the point where this constitutional process that was supposed to lead to peace, that was supposed to be a peace conference under other names, but the Sunnis did not participate in it. So you cannot have it be that way. It cannot come out with a peace if one of the groups has boycotted it. You can say, oh, it was stupid for them to boycott it, they should not have done that. You can blame all you want. But it did happen that way. They did not participate. So the only way you are going to get it is a conference some place where you can get all the parties sitting down and saying, all right, look, how are we going to work this thing out? We have oil revenue, we are a rich country, there is no reason for us to be in poverty like we are in; we can use that wealth for everybody, not just for one group or another group. We will let everybody have a part of it, and we will make this again the country that it was. This country has a long tradition of being a place of refinement and intelligence and civil society, and it can be that again if we will allow that to happen.

Mr. Speaker, I hope that you will ask the President to reconsider the advice he is getting. I know it is very difficult to be President of the United States and you do not know everything that you are going to face. Certainly, one can have empathy for the President having suddenly been confronted by 9/11 and all the rest. But the advice that he has been listening to and following is leading him deeper and deeper into chaos, and it is time for the President to lead us out of that chaos by taking the role of saying, I believe it is time for us to convene a peace conference somewhere. We will not have any part of it, but we think it ought to happen over there, and maybe so-and-so could be the leader. I mean, maybe it would be better if the President did not suggest anybody, because it would probably work better if he just said to the Arabs, who would be the one to convene the conference? Let them decide. If we want peace and we want democracy and we want liberal treatment of women, and if we want all of those things for the Iraqi people, we have got to change our policy.

THE TRIUMPH OF NEOCONSERVATIVES IN IRAQ

(By Abbas J. Ali)

In his speech on June 28, President George W. Bush accurately characterized the situation in Iraq as ''horrifying, and the suffering is real.'' Previously, Bush had described the invasion of Iraq as a ''catastrophic success.'' Foreign affairs analysts agree that in both cases, Bush accurately captured the reality of the Iraq mess, but were equally surprised by his insistence on staying the course. The fear is that Iraq hardship and bloodshed may be deepened and reversing the state of disorder is a remote possibility.

Three recent developments in the Iraq political arena reaffirm the growing fear. US Secretary of Defense Donald Rumsfeld predicts that the mess in Iraq could go on for 12 years, The New York Times reported (June 30) that a type of federalism is supported by Washington, where each region in Iraq gains power approaching true sovereignty, and Zalamy Khalilzad assumed his position as the American ambassador in Baghdad. The last two developments are interrelated and are certain to turn the transformation of Iraq into a bloody mess.

In particular, Khalilzad is a pivotal factor in the Iraqi equation. Khalilzad was a member of the team that planned the invasion of Iraq and aggressively promoted a vision for Iraq where the Iraqis play only on advisory role in determining the future of their country. As a hard line neoconservative, he is an adamant advocate of the virtue of perpetual war and the use of forceful approaches to world problems. When Henry Kissinger, a neoconservative strategist, in November 2001 articulated a plan for creating ''a central Kabul government of limited reach, with tribal automany prevailing in various regions,'' in Afghanistan, it was Khalilzad who translated it into a reality.

Back in 1970s, the neoconservatives recognized that Iraq constituted a threat to their design for the Middle East. Not because Iraq has ample natural resources, especially oil and water, but because the Iraqis were considered a spirited and cultured people, displaying pride, patriotism, and independent thinking. General Eric Shinseki, then the US army chief of staff, pointed out in 2002 that Paul Wolfowitz, as a young Pentagon analyst and a neoconservative, designated Iraq in 1979 as a menace that must be dealt with. Since then, the invasion and occupation of Iraq has been primarily a neoconservative venture.

In targeting Iraq, the neoconservatives envision war and military intervention as instrumental in the polarization of Iraq's ethnic and sectarian divisions and ultimately ending Iraqi Arab identity. For example, in 1982, Oded Yinon accentuated the usefulness of internal strife and war with Iraq to foster the demise of Iraq as an Arab state. Yinon noticed that: ''In the short run it is Iraqi

power which constitutes the greatest threat to Israel'' and that a division of Iraq ''into provinces along ethnic/religious lines . . . is possible. So three (or more) states will exist around the three major cities: Basra, Baghdad and Mosul, and Shiite areas in the south will separate from the Sunni and Kurdish north.''

Critics and political commentators agree that the neoconservatives are obsessed with a grand design to militarize the globe and globalize fear. Knowledgeable observers, however, acknowledge that the core of the neoconservatives' thinking revolves around the Middle East and the role of Israel. Unlike Bush, the neoconservatives harbour the belief that freedom for the Arab people, prosperity, and cultural renaissance are a threat to Israeli security and vitality. It is for this reason that neoconservatives make a powerful argument for creating instability and chaos in the Middle East. This was well expressed by Michael Ledeen former US undersecretary of state and a leading neoconservative, when he stated: ''Stability is an unworthy American mission, and a misleading concept to boot. We do not want stability in Iran, Iraq, Syria, Lebanon, and even Saudi Arabia; we want things to change. The real issue is not whether, but how to destabilize.''

Indeed, the neoconservatives have been exceptionally successful in promoting four primary propositions:

1. The welfare of American people and the prestige of the US in the world are contingent upon the ability to dominate the world and especially the Middle East.
2. The U.S. invasion of and military presence in Iraq ensures American safety, security and world peace,
3. The U.S. goals coincide with Israeli goals. Therefore, the invasion of Iraq served the interests of both countries.
4. The Arab people are inherently anti-American and a threat to American interests. Thus, the presence of American forces in the region is an imperative necessity and is essential for world peace.

Neoconservative thinkers Lawrence Kaplan and William Kristol assert in their book, The War over Iraq, that the decision about what course to take in dealing with Iraq, ''is about more even than the future of the Middle East and the war on terror. It is about what sort of role the United States intends to play in the world in the 21st century.'' They argue that the only plausible and sensible mission is to persistently apply American might in these parts of the world that constitute a threat to American interests and foresee Iraq as a starting stage; the ''mission begins in Baghdad, but it does not end there.''

The mission, as Michael Ledeen defines it, is to ensure the total submission of the people in the region. He stated in 2001, ''we will not be sated until we have had the blood of every miserable little tyrant in the Middle East . . . and every last drooling anti-Semitic and anti-American mullah, imam, sheik, and ayatellah is either singing the praises of the United States of America or pumping gasoline for a dime a gallon on an American military base near the Arctic Circle.''

From the beginning, the neoconservatives viewed the invasion of Iraq either as a staging ground for their perpetual war or securing its instability. While the introduction of economic sanctions against Iraq in August 1990 and the subsequent attack in 1991 along with the presence of an oppressive regime have tremendously weakened Iraq and demoralised its people, it was the invasion in March 2003 that enabled the neoconservatives to directly manage Iraqi affairs and put their vision into practice.

Contrary to their claim of nation-building in Iraq and nurturing democratic institutions, the neoconservatives have made sure that every effort must be made to prevent the Iraqis from exercising their rights to run their own country and establish an open and free country. When General Jay Garner attempted, in early 2003, to allow Iraqis to chart their own destiny, he was immediately replaced. His successor, Paul Bremer, closely followed the neoconservatives' agenda.

The Israeli newspaper Haaretz reported (June 3, 2005) that the occupational authority has institutionalised corruption. The corruption has paralysed the economy and fostered the creation of dysfunctional institutions. This, along with the ever rising new trend of terrorism, constitutes a threat to Iraq's social fabric. Indeed, a growing number of Iraqis question the virtue of the decision taken by the occupational authority in mid-2003 to dissolve the Iraqi border police and leave the Iraqi borders open for extremists. The Iraqis also question the reluctance of the occupational forces to train the newly-established Iraqi army and police and supply them with adequate weapons to defend themselves and their country.

In a radical but alarming move, the neoconservatives have espoused a sectarian and ethnic policy in conducting government and political affairs in Iraq. The policy is contrary to America's officially pronounced goal of nation building and constitutes a formidable obstacle to Bush's vision of a democratic and unified Iraq. In fact, the policy has devastating consequences and may lead to the ruin of Iraq. It should be mentioned that, in practice, Saddam Hussein espoused a sectarian and racial outlook after 1978. But this was never acknowledged as a guiding principle and was disliked by the majority of the population.

In Bush's second term, the neoconservatives appear to have secured undisputed domination in designing American foreign policy. They have situated themselves at the core of the three primary agencies responsible for foreign affairs: The National Security Council, and the state and defence departments. With the presence of Ambassador Zalamy Khalilzad in Baghdad, the neoconservatives are positioned to pursue their vision for Iraq with zeal, confidence, and energy.

Middle East experts and responsible international observers make a strong point that the neoconservatives are progressing with unexpected ease in translating their vision for Iraq into practical steps, which will eventually change the fate of Iraq profoundly. In particular, the neoconservatives have strengthened and widened their network of influence well beyond their traditional allies (e.g. Ahmed Chalabi, Masood Barzani, Barhem Saleh, Ayhem Al Samarai, Meshaan Al Jabory, Moufaq Al Rebuey, etc.) and include powerful individuals and newly emerging organizations inside and outside Iraq that actively promote and espouse the neoconservative design for fragmenting Iraq and creating semi-independent sectarian/ethnic units in place.

The presence of terrorism and extremism in Iraq is a development that accompanies the occupation. Its threat is real with predictable consequences, especially the sudden and mass exodus of whatever is left of the middle class. Nevertheless, once the Iraqis are free and are in charge of their destiny, they will more likely be able to uproot terrorism and extremism. The kindling and institutionalisation of sectarian and ethnic discord, however, have unpredictable and frightening consequences. For many decades sectarianism and racial discrimination were almost alien concepts for the majority of Iraqis. Since the invasion, sectarian and divisional ethnic terminologies have become conspicuously common in daily political discourse.

Regardless of the outcome of the ongoing debate concerning the constitution, the neoconservatives have already inflicted damage to the fabric of Iraqi society.

Fragmenting Iraq and kindling sectarian/ethnic discords are weapons of cultural and national destruction, a menace to civilization. They represent a threat to American interests and to regional stability. More importantly, they evidence a purposeful activation of the clash of civilizations.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. CHRISTENSEN (at the request of Ms. PELOSI) for today.

Mr. GENE GREEN of Texas (at the request of Ms. PELOSI) for today after 11:00 a.m. on account of Hurricane Rita-related issues in the district.

Mr. HINOJOSA (at the request of Ms. PELOSI) for today on account of Hurricane Rita-related issues in the district.

Mr. KIND (at the request of Ms. PELOSI) for September 20 and 21 and after 3:00 p.m. today on account of a death in the family.

Mr. HASTINGS of Washington (at the request of Mr. DELAY) for today after 3:00 p.m. on account of attending a funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SCHIFF) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. WASSERMAN SCHULTZ, for 5 minutes, today.

Mr. VAN HOLLEN, for 5 minutes, today.

(The following Members (at the request of Mr. WOLF) to revise and extend their remarks and include extraneous material:)

Mr. JONES of North Carolina, for 5 minutes, September 27.

Mr. HUNTER, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, September 27 and 29.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. DELAURO, for 5 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SCOTT of Virginia and to include extraneous material, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $3,224.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1368. An act to extend the existence of the Parole Commission, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House, reports that on September 21, 2005 he presented to the President of the United States, for his approval, the following bill.

H.R. 3649. Sportfishing and Recreational Boating Safety Amendments Act of 2005.

ADJOURNMENT

Mr. McDERMOTT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 42 minutes p.m.), under its previous order, the House adjourned until Monday, September 26, 2005, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4094. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Attainment Demonstration for the Shreveport-Bossier City Early Action Compact Area [R06-OAR-2005-LA-0001; FRL-7955-7] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4095. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; New Mexico; San Juan County Early Action Compact Area [R06-OAR-2005-NM-0002; FRL-7954-5] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4096. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; North Carolina; Attainment Demonstration of the Mountain, Unifour, Triad and Fayetteville Early Action Compact Areas [R04-OAR-2004-NC-0005-200513, FRL-7956-8] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4097. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Oklahoma; Attainment Demonstration for the Central Oklahoma Early Action Compact Area [R06-OAR-2005-OK-0001; FRL-7953-8] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4098. A letter from the Principal Deputy Associate Administrator, Federal Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Oklahoma; Attainment Demonstration for the Tulsa Early Action Compact Area [R06-OAR-2005-OK-0002; FRL-7956-2] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4099. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; South Carolina and Georgia; Attainment Demonstration for the Appalachian, Catawba, Pee Dee, Waccamaw, Santee Lynches, Berkeley-Charleston-Dorchester, Low Country, Lower Savannah, Central Midlands, and Upper Savannah Early Action Compact Areas [R04-OAR-2005-SC-0001, R04-OAR-2005-GA-0001-200516; FRL-7957-1] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4100. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Denver Early Action Compact Ozone Plan; Attainment Demonstration of the 8-hour Ozone Standard, and Approval of Related Revisions [RME Docket Number R08-OAR-2005-CO-0001; FRL-7954-6] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4101. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Greeley Revised Carbon Monoxide Maintenance Plan and Approval of Related Revisions [RME Docket Number R08-OAR-2004-CO-0004; FRL-7954-7] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4102. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Iowa [R07-OAR-2005-IA-0003; FRL-7953-7] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4103. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Tennessee and Georgia; Attainment Demonstrations for the Chattanooga, Nashville, and Tri-Cities Early Action Compact Areas [R04-OAR-2005-TN-0001, R04-OAR-2004-GA-0004-200522; FRL-7956-9] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4104. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Texas; Attainment Demonstration of the Austin Early Action Compact Area [R06-OAR-2005-TX-0011; FRL-7955-9] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4105. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Texas; Attainment Demonstration of the San Antonio Early Action Compact Area [R06-OAR-2005-TX-0010; FRL-7955-8] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4106. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Texas; Clean Air Action Plan and Attainment Demonstration for the Northeast Texas Early Action Compact Area; Agreed Orders Regarding Control of Air Pollution for the Northeast Texas Area [R06-OAR-2005-TX-0009; FRL-7956-1] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4107. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans For Designated Facilities and Pollutants; Maine; Negative Declaration [R01-OAR-2005-ME-0005; FRL-7956-4] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4108. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implmentation Plans; Virginia; Attainment Demonstration for the Roanoke Metropolitan Statistical Area (MSA) Ozone Early Action Compact Area [R03-OAR-2005-VA-0004; FRL-7954-1] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4109. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Attainment Demonstration for the Eastern Panhandle Region Ozone Early Action Compact Area [R03-OAR-2005-WV-0001; FRL-7954-3] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4110. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Attainment Demonstration for the Washington County Ozone Early Action Compact Area [R03-OAR-2005-MD-0004; FRL-7954-2] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4111. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Texas; Control of Air Pollution from Motor Vehicles, Mobile Source Incentive Programs [R06-OAR-2005-TX-0021; FRL-7956-3] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4112. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Attainment Demonstration for the Northern Shenandoah Valley Ozone Early Action Compact Area [R03-OAR-2005-VA-0005; FRL-7954-4] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4113. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Hazardous Waste Management System; Standardized Permit for RCRA Hazardous Waste Managemnt Facilities [RCRA-2001-0029; FRL-7948-4] (RIN: 2050-AE44) received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4114. A letter from the Chief, Regulations and Administration Law, USCG, Department

of Homeland Security, transmitting the Department's final rule — Security Zone; Portsmouth, NH, Piscataqua River Bridges. [CGD01-04-130] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4115. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Delaware River [CGD05-04-199] (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4116. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone Regulations, Budd Inlet, West Bay, Olympia, Washington and SS CAPE HORN [CGD13-04-042] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4117. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; M/V Tunica Queen, Mile 695 to Mile Lower Mississippi River, Tunica, MS [COTP Memphis-04-006] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4118. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; McClellan-Kerr Arkansas River between mile 116.0 and 120.0, Little Rock, AR [COTP Memphis 04-009] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4119. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone: Presidential Debate and visit to Miami, Four Seasons Marriott Hotel, Biscayne Bay, Miami, FL [COTP Miami 04-116] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4120. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; St. Andrews Bay, Panama City, FL [COTP Mobile-04-015] (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4121. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; West Bay, Panama City, FL [COTP Mobile-04-016] (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4122. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; West Bay, Panama City, FL [COTP Mobile-04-017] (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4123. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Bayou Grande, Pensacola, FL [COTP Mobile-04-019] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4124. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Bayou Chico, Pensacola, FL [COTP Mobile-04-020] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4125. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Pensacola Bay Bridge, Pensacola, FL [COTP Mobile-04-023] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4126. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Cinco Bayou, Fort Walton Beach, FL [COTP Mobile-04-024] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4127. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Garnier Bayou, Fort Walton Beach, FL [COTP Mobile-04-025] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4128. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Rocky Bayou, Niceville, FL [COTP Mobile-04-026] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4129. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Choctawhatchee Bay, Destin, FL [COTP Mobile-04-027] (RIN: AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4130. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Monogahela River, Mile Marker 0.0 to Mile Marker 1.0, Pittsburgh, PA [COTP Pittsburgh-04-010] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4131. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Monongahela River, Mile Marker 0.0 to Mile Marker 1.0, Pittsburgh, PA [COTP Pittsburgh-04-014] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4132. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Ohio River, Mile Marker 90.4 to Mile Marker 90.8, Wheeling, WV [COTP Pittsburgh-04-025] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4133. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Moving and Fixed Security Zone: Port of Fredericksted, Saint Croix, U.S. Virgin Islands. [COTP San Juan 04-138] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4134. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Bull Island, S.C. and surrounding waterways. [COTP Savannah-04-152] (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4135. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; St. Croix River Mile 16.0 to Mile 17.5, Hudson, WI [COTP St. Louis-04-033] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4136. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Upper Mississippi River Mile 578.5 to Mile 582.0, Dubuque, IA [COTP St. Louis-04-044] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4137. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Upper Mississippi River Mile 698.1 to Mile 697.6, La Crosse, WI [COTP St. Louis-04-045] received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4138. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone Regulation; Tampa Bay, FL. [COTP TAMPA 04-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4139. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone Regulation; St. Petersburg, FL. [COTP TAMPA 04-128] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4140. A letter from the Chief, Regulations and Administration Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone Regulation; Tampa Bay, FL. [COTP 04-130] (RIN: 1625-AA87) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4141. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Surface Area, South Lake Tahoe, CA [Docket FAA 2005-21522; Airspace Docket No. 05-AWP-6] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4142. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of the Los Angeles Class B Airspace Area; CA [Docket No. FAA-2004-18612; Airspapce Docket No. 04-AWA-05] (RIN: 2120-AA66) received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4143. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Legal Description of the Class D Airspace; and Class E Airspace; Topeka, Forbes Field, KS. [Docket No. FAA-2005-21703; Airspace Docket No. 05-ACE-19] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4144. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, Weather Takeoff Minimums; Miscellaneous Amendments [Docket No. 30452; Amdt. No. 3128] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NEY: Committee on House Administration. Supplemental report on H.R. 513. A bill to amend the Federal Election Campaign Act of 1971 to clarify when organizations described in section 527 of the Internal Revenue Code of 1986 must register as political committees, and for other purposes (Rep. 109–181 Pt. 2).

Mr. SENSENBRENNER: Committee on the Judiciary. House Resolution 420. Resolution directing the Attorney General to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the Attorney General relating to the disclosure of the identity and employment of Ms. Valerie Plame, adversely; (Rep. 109–320). Referred to the House Calendar.

Mr. BOEHNER: Committee on Education and the Workforce. H.R. 609. A bill to amend and extend the Higher Education Act of 1965; with an amendment (Rept. 109–231). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOEHNER: Committee on Education and the Workforce. H.R. 2830. A bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to reform the pension funding rules, and for other purposes; with an amendment (Rept. 109–232 Pt. 1). Ordered to be printed.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 3402. A bill to authorize appropriations for the Department of Justice for fiscal years 2006 through 2009, and for other purposes; with an amendment (Rept. 109–233). Referred to the Committee of the Whole House on the State of the Union.

Mr. HUNTER: Committee on Armed Services. House Resolution 417. Resolution directing the Secretary of Defense to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resoltuion documents in the possession of the Secretary of Defense relating to the disclosure of the identity and employment of Ms. Valerie Plame; adversely (Rept. 109–234). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2830. Referral to the Committee on Ways and Means extended for a period ending not later than September 30, 2005.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. GOODLATTE (for himself, Mr. BERRY, Mrs. MUSGRAVE, Ms. FOXX, Mrs. JO ANN DAVIS of Virginia, Mr. CONAWAY, Mr. UPTON, Mr. SCHWARZ of Michigan, and Mr. ALEXANDER):

H.R. 3857. A bill to simplify the process for admitting temporary alien agricultural workers under section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act, to increase access to such workers, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANTOS (for himself, Mr. SHAYS, Mr. YOUNG of Alaska, Mr. OBERSTAR, and Mr. FRANK of Massachusetts):

H.R. 3858. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that State and local emergency preparedness operational plans address the needs of individuals with household pets and service animals following a major disaster or emergency; to the Committee on Transportation and Infrastructure.

By Mr. GERLACH (for himself and Ms. BEAN):

H.R. 3859. A bill to establish the Interagency Council on Meeting the Housing and Service Needs of Seniors, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of Georgia (for himself, Mr. DEAL of Georgia, Mr. NORWOOD, Mr. KINGSTON, Mr. WESTMORELAND, Mr. GINGREY, Mr. LINDER, Mrs. JO ANN DAVIS of Virginia, Mr. CANTOR, Mr. PENCE, and Mr. GOODE):

H.R. 3860. A bill to make improvements to the national sex offender registration program, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself, Ms. SCHAKOWSKY, Mr. DINGELL, Mr. RANGEL, Mr. GEORGE MILLER of California, Mr. BROWN of Ohio, Mr. WAXMAN, and Mr. PALLONE):

H.R. 3861. A bill to amend title XVIII of the Social Security Act to provide extended and additional protection to Medicare beneficiaries who enroll for the Medicare prescription drug benefit during 2006; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOEHNER (for himself, Mr. KLINE, Mr. JINDAL, and Mr. BOUSTANY):

H.R. 3862. A bill to provide for appropriate waivers, suspensions, or exemptions from provisions of title I of the Employee Retirement Income Security Act of 1974 with respect to individual account plans affected by Hurricane Katrina; to the Committee on Education and the Workforce.

By Mr. JINDAL (for himself, Mr. BOEHNER, Mr. MCKEON, Mr. BOUSTANY, Mr. PAUL, Mr. GEORGE MILLER of California, Mr. HINOJOSA, Mr. KILDEE, Mr. MARCHANT, and Mr. PICKERING):

H.R. 3863. A bill to provide the Secretary of Education with waiver authority for the reallocation rules in the Campus-Based Aid programs, and to extend the deadline by which funds have to be reallocated to institutions of higher education due to a natural disaster; to the Committee on Education and the Workforce, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUSTANY (for himself, Mr. BOEHNER, Mr. JINDAL, and Mr. MARCHANT):

H.R. 3864. A bill to provide vocational rehabilitation services to individuals with disabilities affected by Hurricane Katrina or Hurricane Rita; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 3865. A bill to provide for the establishment of medical malpractice insurance corporations which may operate and function without hindrance or impedance in any or all of the States, to limit frivolous medical malpractice lawsuits, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASTLE:

H.R. 3866. A bill to authorize the Secretary of the Interior to conduct a special resources study to evaluate resources along the coastal region of the State of Delaware and to determine the suitability and feasibility of establishing a unit of the National Park System in Delaware; to the Committee on Resources.

By Mrs. CUBIN (for herself, Mr. WICKER, Mr. HOLT, and Mr. OWENS):

H.R. 3867. A bill to reauthorize the Congressional Award Act; to the Committee on Education and the Workforce.

By Mr. DOOLITTLE:

H.R. 3868. A bill to increase and expand expensing under section 179 of the Internal Revenue Code of 1986 for property in hurricane disaster areas declared in 2005; to the Committee on Ways and Means.

By Mr. FLAKE (for himself, Mr. HENSARLING, Ms. HARRIS, Mr. INGLIS of South Carolina, Mr. BURTON of Indiana, Mr. ROHRABACHER, and Mr. MILLER of Florida):

H.R. 3869. A bill to amend Public Law 109-59 to allow the States of Louisiana, Mississippi, and Alabama to designate the projects for which certain highway and transit funds allocated to such States may be obligated; to the Committee on Transportation and Infrastructure.

By Mr. FLAKE (for himself, Mr. PENCE, and Mr. HENSARLING):

H.R. 3870. A bill to amend part D of title XVIII of the Social Security Act to delay for 2 years implementation of the Medicare prescription drug benefit for individuals who are not lowest-income subsidy eligible individuals; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FORTENBERRY (for himself, Mr. TERRY, and Mr. OSBORNE):

H.R. 3871. A bill to authorize the Secretary of Interior to convey to The Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. certain Federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as an historical interpretive site along the trail; to the Committee on Resources.

By Mr. FORTENBERRY:

H.R. 3872. A bill to amend the Internal Revenue Code of 1986 to allow loans from individual retirement plans for qualified small business capital assets; to the Committee on Ways and Means.

By Mr. FORTENBERRY:

H.R. 3873. A bill to amend the Internal Revenue Code of 1986 to permit rollovers from retirement plans to health savings accounts; to the Committee on Ways and Means.

By Mr. FORTENBERRY (for himself, Mr. OSBORNE, and Mr. TERRY):

H.R. 3874. A bill to amend the Internal Revenue Code of 1986 to provide for tax exempt qualified small issue bonds to finance agricultural processing property; to the Committee on Ways and Means.

By Mr. GORDON (for himself and Mr. SESSIONS):

H.R. 3875. A bill to improve access to emergency medical services through medical liability reform and additional Medicare payments; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself and Mr. ROSS):

H.R. 3876. A bill to provide that private land use rules be treated as State or local regulation for purposes of certain Federal Communications Commission regulations; to the Committee on Energy and Commerce.

By Mr. JOHNSON of Illinois:

H.R. 3877. A bill to suspend temporarily the duty on certain parts of machinery for molding and forming certain articles; to the Committee on Ways and Means.

By Mr. JOHNSON of Illinois:

H.R. 3878. A bill to suspend temporarily the duty on certain parts of machinery for molding and forming certain articles; to the Committee on Ways and Means.

By Mr. JOHNSON of Illinois:

H.R. 3879. A bill to suspend temporarily the duty on certain parts of machinery for molding and forming certain articles; to the Committee on Ways and Means.

By Mr. JOHNSON of Illinois:

H.R. 3880. A bill to suspend temporarily the duty on certain parts of machinery for molding and forming certain articles; to the Committee on Ways and Means.

By Mr. JOHNSON of Illinois:

H.R. 3881. A bill to suspend temporarily the duty on machinery for molding and forming certain articles; to the Committee on Ways and Means.

By Mr. LEACH:

H.R. 3882. A bill to preserve competitive equity in financial services; to the Committee on Financial Services.

By Mr. MCCRERY (for himself, Mr. HERGER, Mr. SAM JOHNSON of Texas, Mr. ENGLISH of Pennsylvania, Mr. LEWIS of Kentucky, Mr. BRADY of Texas, Mr. CANTOR, Mr. BAIRD, Mr. DICKS, Mr. GOHMERT, Mr. GOODLATTE, Mr. HASTINGS of Washington, Mr. JINDAL, Mr. LARSEN of Washington, Mr. REICHERT, Mr. ROSS, Mr. SMITH of Washington, Mr. WALDEN of Oregon, Mr. BOUSTANY, and Mr. HALL):

H.R. 3883. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for qualified timber gains; to the Committee on Ways and Means.

By Ms. MILLENDER-MCDONALD:

H.R. 3884. A bill to provide incentives for highly qualified teachers and administrators to remain in and relocate to areas affected by major disasters; to the Committee on Education and the Workforce.

By Ms. NORTON (for herself, Ms. BORDALLO, Mrs. CHRISTENSEN, Mr. FALEOMAVAEGA, and Mr. FORTUÑO):

H.R. 3885. A bill to provide for a circulating quarter dollar coin program to honor the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, and for other purposes; to the Committee on Financial Services.

By Mr. ORTIZ (for himself and Mr. TAYLOR of Mississippi):

H.R. 3886. A bill to require the Secretary of the Navy to comply with certain reversionary requirements related to property donated to the Navy for use as a Navy homeport whenever the property ceases to be used for that purpose; to the Committee on Armed Services.

By Mr. PITTS:

H.R. 3887. A bill to provide for the designation of 3 closed military installations as appropriate sites for construction of an oil refinery; to the Committee on Armed Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHAYS (for himself, Ms. WATERS, Mr. LEACH, Mr. WATT, Mr. DAVIS of Alabama, Mr. GERLACH, Mr. FRANK of Massachusetts, Mr. BOEHLERT, Mrs. MALONEY, Mr. PASTOR, Mrs. JOHNSON of Connecticut, Mr. PETERSON of Minnesota, Mr. HOLT, Mr. SCOTT of Georgia, Mr. MEEKS of New York, Ms. BALDWIN, Ms. WASSERMAN SCHULTZ, Mr. GRIJALVA, Mr. CUMMINGS, Ms. DELAURO, Mr. MARKEY, Mr. MCINTYRE, Mr. OWENS, Mr. GUTIERREZ, Mr. RUSH, Mr. KILDEE, Mr. WEXLER, Mr. COOPER, Mr. MOORE of Kansas, Mrs. MCCARTHY, Ms. KAPTUR, Mr. MILLER of North Carolina, Mr. ETHERIDGE, Mr. CONYERS, Mr. MENENDEZ, Mr. BERMAN, and Mr. PAYNE):

H.R. 3888. A bill to reauthorize the HOPE VI program for revitalization of public housing projects; to the Committee on Financial Services.

By Mr. SOUDER (for himself, Mr. SENSENBRENNER, Mr. BLUNT, Mr. COBLE, Mr. CALVERT, Mr. LARSEN of Washington, Mr. BOSWELL, Mr. KENNEDY of Minnesota, Mr. CANNON, Ms. HOOLEY, Mr. BAIRD, Mr. OSBORNE, Mr. CARDOZA, Mr. CASE, Mr. ROGERS of Alabama, Mr. LEWIS of Kentucky, Mr. BURTON of Indiana, Mr. SMITH of Texas, Mr. BACHUS, Mr. PETERSON of Pennsylvania, Mr. BOREN, Ms. HERSETH, Mr. FRANKS of Arizona, Mr. ABERCROMBIE, Mr. WALDEN of Oregon, Mr. REICHERT, Mr. WAMP, Mr. MCHENRY, Mr. GRAVES, Mr. PETERSON of Minnesota, Mr. TERRY, Mr. SCHWARZ of Michigan, Miss MCMORRIS, and Ms. GRANGER):

H.R. 3889. A bill to further regulate and punish illicit conduct relating to methamphetamine, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, International Relations, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Mississippi:

H.R. 3890. A bill to provide for the participation in Head Start programs and Early Head Start programs, by children affected by Hurricane Katrina; to the Committee on Education and the Workforce.

By Mr. TIERNEY (for himself, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mr. CONYERS, Mr. DAVIS of Illinois, Mr. DEFAZIO, Mr. EVANS, Mr. FATTAH, Mr. FILNER, Mr. GUTIERREZ, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. LANTOS, Ms. LEE, Mr. LEWIS of Georgia, Mr. LYNCH, Mrs. MALONEY, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MEEHAN, Mr. NADLER, Mr. OLVER, Mr. OWENS, Mr. SANDERS, Ms. SOLIS, Mr. STARK, Mr. THOMPSON of Mississippi, Mr. UDALL of New Mexico, Mr. WEINER, Mr. DELAHUNT, Ms. BALDWIN, Mr. PAYNE, Ms. NORTON, Mr. GEORGE MILLER of California, Mr. HASTINGS of Florida, Mr. KUCINICH, Mrs. CHRISTENSEN, Mrs. JONES of Ohio, Ms. MILLENDER-MCDONALD, and Ms. CARSON):

H.R. 3891. A bill to amend the Social Security Act to provide grants and flexibility through demonstration projects for States to provide universal, comprehensive, cost-effective systems of health care coverage, with simplified administration; to the Committee on Energy and Commerce.

By Mr. WICKER:

H.R. 3892. A bill to amend title 31, United States Code, to authorize the issuance of Hurricane Katrina Relief EE savings bonds; to the Committee on Ways and Means.

By Ms. HARRIS (for herself and Mr. RAMSTAD):

H. Con. Res. 249. Concurrent resolution supporting the goals and ideals of National Alcohol and Drug Addiction Recovery Month; to the Committee on Government Reform.

By Mr. MCGOVERN (for himself, Mr. LEACH, Mr. LANTOS, Mr. KING of New York, Mr. BERMAN, Mr. PAYNE, Mr. ENGEL, Mr. BROWN of Ohio, Mr. DELAHUNT, Mr. CROWLEY, Ms. WATSON, Ms. MCCOLLUM of Minnesota, Mr. TIERNEY, Mrs. LOWEY, Ms. PELOSI, Mr. SERRANO, Ms. KAPTUR, Mr. MCNULTY, Mr. BISHOP of New York, Mr. RYAN of Ohio, Mr. HINCHEY, Mr. NEAL of Massachusetts, Mr. OLVER, Mr. FRANK of Massachusetts, Mr. MEEHAN, Mr. GEORGE MILLER of California, Mr. LYNCH, Mr. KUCINICH, Mrs. JONES of Ohio, Mrs. KELLY, and Mr. OBEY):

H. Res. 458. A resolution remembering and commemorating the lives and work of Maryknoll Sisters Maura Clarke and Ita Ford, Ursuline Sister Dorothy Kazel, and Cleveland Lay Mission Team Member Jean Donovan, who were executed by members of the armed forces of El Salvador on December 2, 1980; to the Committee on International Relations.

By Mr. DINGELL (for himself and Mr. WELDON of Pennsylvania):

H. Res. 459. A resolution recognizing the achievements and contributions of the Waterfowl Population Survey Program of the United States Fish and Wildlife Service; to the Committee on Resources.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 63: Ms. WATERS.
H.R. 97: Ms. SCHWARTZ of Pennsylvania.
H.R. 147: Mrs. MILLER of Michigan, Mr. MANZULLO, and Mr. SERRANO.
H.R. 154: Mr. PAUL.
H.R. 226: Mr. MCINTYRE and Mr. KUHL of New York.
H.R. 305: Mr. SCHWARZ of Michigan.
H.R. 551: Mr. LYNCH.
H.R. 558: Ms. SCHWARTZ of Pennsylvania.
H.R. 582: Mr. FILNER.
H.R. 583: Mr. BOOZMAN.
H.R. 698: Mr. TAYLOR of North Carolina.
H.R. 743: Mr. WEXLER.
H.R. 758: Mr. MARCHANT.
H.R. 817: Mr. GILCHREST, Mr. SWEENEY, Ms. HARRIS, Mrs. BONO, and Mr. EVERETT.
H.R. 819: Mr. LAHOOD and Mr. CONAWAY.
H.R. 839: Mr. WU.
H.R. 846: Mr. MARIO DIAZ-BALART of Florida.
H.R. 859: Mr. MURTHA.
H.R. 865: Mr. JINDAL.
H.R. 896: Mr. KNOLLENBERG and Mr. PICKERING.
H.R. 910: Mr. WALSH and Mr. VISCLOSKY.
H.R. 920: Mr. AL GREEN of Texas.
H.R. 923: Mr. MICHAUD.
H.R. 994: Mr. LEWIS of Georgia, Mr. SPRATT, Mr. DAVIS of Kentucky, Mr. MARCHANT, Mr. BONILLA, Mr. DENT, Mr. SCOTT of Virginia, Mr. JONES of North Carolina, Mrs. JOHNSON of Connecticut, and Mr. BLUMENAUER.
H.R. 1002: Mr. BECERRA and Mr. RANGEL.
H.R. 1020: Mr. STRICKLAND.
H.R. 1079: Mr. MARCHANT.
H.R. 1080: Mr. PRICE of North Carolina.
H.R. 1124: Mr. MEEHAN.
H.R. 1150: Mr. ALEXANDER.
H.R. 1219: Mr. PETERSON of Minnesota, Mr. KLINE, and Mr. MARCHANT.
H.R. 1243: Mr. MARCHANT and Ms. FOXX.
H.R. 1246: Ms. GINNY BROWN-WAITE of Florida.
H.R. 1251: Mr. NADLER, Mr. HIGGINS, and Mr. GRIJALVA.
H.R. 1262: Mr. WOLF.
H.R. 1356: Mr. CLAY.
H.R. 1358: Mr. ROTHMAN.
H.R. 1425: Mr. LEVIN.
H.R. 1440: Ms. LINDA T. SÁNCHEZ of California.
H.R. 1471: Mr. SMITH of Washington and Mr. KUHL of New York.
H.R. 1502: Mr. FILNER, Mr. HINCHEY, and Mr. PASTOR.
H.R. 1548: Mr. BISHOP of Georgia and Mr. BURTON of Indiana.
H.R. 1646: Mr. ROTHMAN, Mrs. WILSON of New Mexico, and Ms. BEAN.
H.R. 1707: Mr. STARK and Mr. PLATTS.
H.R. 1708: Mr. KENNEDY of Minnesota.
H.R. 1736: Mr. KIND.
H.R. 1745: Mr. MURTHA and Mr. MARCHANT.
H.R. 1792: Mr. MCGOVERN.
H.R. 1898: Mrs. BIGGERT.
H.R. 1951: Mr. DENT and Mr. YOUNG of Florida.
H.R. 1952: Mr. FOSSELLA and Mr. HENSARLING.
H.R. 1956: Mr. MARCHANT.
H.R. 2048: Mr. VAN HOLLEN.
H.R. 2121: Mrs. EMERSON and Mr. HULSHOF.
H.R. 2175: Mr. MICHAUD.
H.R. 2177: Mr. HULSHOF and Mr. SKELTON.
H.R. 2209: Mr. DAVIS of Alabama.
H.R. 2238: Mr. ETHERIDGE, Mr. PUTNAM, Mr. MOORE of Kansas, and Mr. KING of New York.
H.R. 2356: Mr. BAIRD, Mr. VISCLOSKY, Mr. GARRETT of New Jersey, Mr. JENKINS, and Mr. WELLER.
H.R. 2418: Mr. MOORE of Kansas, Mr. HONDA, Mr. ALEXANDER, Mr. FORD, Mr. VAN HOLLEN, and Mr. COSTELLO.
H.R. 2421: Mr. BEAUPREZ, Mr. GONZALEZ, Ms. SOLIS, Mr. MILLER of Florida, Mr. WOLF, Mr. KILDEE, Mr. WEXLER, Ms. ESHOO, Mr. BERMAN, Mr. GRIJALVA, Mr. MCNULTY, Mr. WEINER, Mr. MORAN of Virginia, Mr. OWENS, Mr. HIGGINS, Mr. SHUSTER, Mr. KUCINICH, Mr. CAPUANO, Mr. GEORGE MILLER of California, Mr. TIBERI, and Mr. ENGEL.
H.R. 2471: Mr. WAMP.
H.R. 2594: Mr. RAMSTAD.
H.R. 2635: Mr. CROWLEY, Mr. LARSEN of Washington, Ms. SLAUGHTER, Ms. DEGETTE, Mrs. DAVIS of California, and Mrs. MALONEY.
H.R. 2662: Mr. OBERSTAR, Mr. JACKSON of Illinois, and Mr. MILLER of North Carolina.
H.R. 2669: Mr. MURPHY, Mr. KING of New York, Mr. CUMMINGS, and Mr. LYNCH.
H.R. 2682: Mr. HASTINGS of Washington.
H.R. 2717: Mr. WALDEN of Oregon, Mr. ANDREWS, and Mr. WALSH.
H.R. 2872: Mr. SAXTON, Mr. HOLDEN, Mr. LOBIONDO, Mr. OSBORNE, Mr. ROTHMAN, Mrs. JO ANN DAVIS of Virginia, Ms. BERKLEY, Mr. GUTKNECHT, Mr. FITZPATRICK of Pennsylvania, Ms. ROYBAL-ALLARD, Ms. SOLIS, Mr. ACKERMAN, Ms. BALDWIN, Mr. MCNULTY, Mr. BARROW, Mrs. CUBIN, and Mr. GEORGE MILLER of California.
H.R. 2876: Mr. DAVIS of Florida, Mr. SIMMONS, Mr. LATOURETTE, Mr. LYNCH, Mr. KUHL of New York, Mr. DENT, Mr. HOYER, Mr. JEFFERSON, Mr. WU, Mr. KLINE, Mr. MEEKS of New York, and Ms. LORETTA SANCHEZ of California.
H.R. 2928: Mr. VAN HOLLEN, Mr. LANTOS, Mr. DICKS, Mr. KIND, Mr. ISRAEL, Ms. KILPATRICK of Michigan, and Mr. SABO.
H.R. 2963: Mr. CHANDLER.
H.R. 2968: Mr. BOEHLERT.
H.R. 3011: Mr. DUNCAN.
H.R. 3042: Ms. LINDA T. SÁNCHEZ of California.
H.R. 3098: Mr. KENNEDY of Minnesota, Mr. SOUDER, Mr. BISHOP of Georgia, Mr. CARDOZA, Mr. HUNTER, Mr. RADANOVICH, and Mrs. BONO.
H.R. 3127: Mr. FITZPATRICK of Pennsylvania, Mr. FRANK of Massachusetts, Ms. SCHAKOWSKY, Ms. KILPATRICK of Michigan, Mr. JEFFERSON, and Mr. CUMMINGS.
H.R. 3128: Mr. BERMAN.
H.R. 3256: Mr. FITZPATRICK of Pennsylvania and Mr. PLATTS.
H.R. 3260: Mr. PRICE of North Carolina.
H.R. 3298: Mr. BONILLA, Mrs. BONO, Mr. GERLACH, Mr. COBLE, and Mr. RADANOVICH.
H.R. 3322: Mr. LEVIN.
H.R. 3329: Mrs. NORTHUP.
H.R. 3373: Mr. ROGERS of Alabama, Mr. KUHL of New York, Mr. UDALL of Colorado, Mr. STRICKLAND, and Mr. SHERWOOD.
H.R. 3403: Mr. SESSIONS, Mr. BARTLETT of Maryland, and Mr. CONAWAY.
H.R. 3417: Mr. PETERSON of Minnesota.
H.R. 3418: Mr. CARTER.
H.R. 3452: Mr. TIBERI, Mr. STRICKLAND, and Mr. GILLMOR.
H.R. 3465: Mr. GONZALEZ and Mr. MCDERMOTT.
H.R. 3505: Mr. AL GREEN of Texas and Mrs. MALONEY.
H.R. 3506: Mr. HASTINGS of Florida, Mr. MEEKS of New York, Mr. RUPPERSBERGER, Mr. OWENS, Mr. PAYNE, Mr. LEWIS of Georgia, Mr. TOWNS, Ms. SCHAKOWSKY, Mr. HULSHOF, Ms. LEE, Mr. DICKS, Mr. MORAN of Virginia, Mr. SERRANO, Ms. WATSON, Ms. MCKINNEY, Ms. MILLENDER-MCDONALD, Mr. RUSH, Mrs. CHRISTENSEN, Mr. CUMMINGS, and Mr. FRANK of Massachusetts.
H.R. 3547: Mr. BACHUS and Mr. MOORE of Kansas.
H.R. 3559: Mr. MURTHA, Mr. GERLACH, Mr. PETERSON of Minnesota, Mr. WAMP, and Mr. REGULA.
H.R. 3561: Mr. TOWNS, Mr. BRADY of Pennsylvania, Mr. CARDIN, and Ms. BALDWIN.
H.R. 3586: Ms. GINNY BROWN-WAITE of Florida and Mr. GARRETT of New Jersey.
H.R. 3612: Mr. FILNER.
H.R. 3614: Mr. REYES.
H.R. 3622: Ms. GRANGER and Mr. LATOURETTE.
H.R. 3644: Mr. WELLER, Mr. BAIRD, and Mr. SHIMKUS.
H.R. 3690: Mr. LANTOS.
H.R. 3697: Mr. WAXMAN and Mr. LANTOS.
H.R. 3698: Mr. ALLEN, Mr. LANTOS, and Ms. BALDWIN.
H.R. 3717: Mr. CANNON, Mr. GRAVES, Mr. WOLF, Mr. NORWOOD, and Mr. GOODE.
H.R. 3737: Mr. PASTOR, Mr. MANZULLO, and Mr. GILLMOR.
H.R. 3752: Mr. CASE, Mrs. MCCARTHY, Mr. OWENS, and Mr. CLAY.
H.R. 3753: Mr. BEAUPREZ, Mr. GARRETT of New Jersey, Mr. NEY, and Mr. MARCHANT.
H.R. 3757: Mr. MILLER of Florida and Mr. SIMMONS.
H.R. 3763: Mr. FATTAH and Mr. MOORE of Kansas.
H.R. 3776: Mr. BURTON of Indiana and Mr. MILLER of Florida.
H.R. 3782: Mr. RUPPERSBERGER and Mr. CUNNINGHAM.
H.R. 3787: Ms. LEE.
H.R. 3797: Mr. HENSARLING and Mr. PAUL.
H.R. 3800: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCNULTY, Mr. FRANK of Massachusetts, Ms. SOLIS, and Mr. NADLER.
H.R. 3809: Mr. COSTELLO and Mr. HOLT.
H.R. 3811: Mr. GOHMERT, Mrs. CUBIN, Mr. WAMP, and Mrs. MYRICK.
H.R. 3824: Mrs. DRAKE, Mr. BONILLA, Mr. CONAWAY, Mrs. BLACKBURN, Mr. DAVIS of Kentucky, Mr. LEWIS of Kentucky, Mr. JINDAL, Mr. PETERSON of Pennsylvania, Mr. REHBERG, Mr. OTTER, Mr. BISHOP of Georgia, Ms. BORDALLO, Mr. BOREN, Mr. OWENS, and Mr. PETERSON of Minnesota.
H.R. 3825: Mr. DENT and Mr. PLATTS.
H.R. 3828: Mr. WELDON of Florida, Mr. HOSTETTLER, Mr. GARRETT of New Jersey, Mrs. BLACKBURN, Mr. TURNER, Mr. AKIN, Mrs. CUBIN, Mr. MCHENRY, Mr. GREEN of Wisconsin, Mr. PENCE, Ms. FOXX, Mr. LEWIS of Kentucky, Mr. KELLER, Mrs. SCHMIDT, Mr. SMITH of New Jersey, Mr. FRANKS of Arizona, Mr. TIBERI, Mr. COLE of Oklahoma, Mr. HAYWORTH, Mr. BURTON of Indiana, Mr. BISHOP of Utah, and Mr. KUHL of New York.
H.R. 3836: Mr. BAKER and Mr. MORAN of Kansas.
H.R. 3838: Mr. GRIJALVA, Mr. HONDA, Mr. BROWN of Ohio, Mr. JEFFERSON, Mr. SCHIFF, Mr. KANJORSKI, and Ms. LINDA T. SÁNCHEZ of California.
H.J. Res. 55: Mrs. MALONEY and Mr. CLAY.
H.J. Res. 57: Mr. SODREL.
H.J. Res. 58: Mr. MORAN of Kansas.
H.J. Res. 60: Mr. BACHUS.
H.J. Res. 65: Mr. GENE GREEN of Texas, Mr. HOLT, Mr. BARROW, Mr. PALLONE, and Mr. EVANS.
H. Con. Res. 40: Mr. ROTHMAN.
H. Con. Res. 42: Mr. MCCOTTER.
H. Con. Res. 106: Mr. BRADLEY of New Hampshire.
H. Con. Res. 123: Ms. LINDA T. SÁNCHEZ of California.
H. Con. Res. 172: Ms. ZOE LOFGREN of California, Mr. STARK, Mr. CLAY, and Ms. SCHWARTZ of Pennsylvania.
H. Con. Res. 174: Ms. WOOLSEY, Mr. GORDON, Mr. SCHWARZ of Michigan, Mr. PLATTS, and Mr. KIRK.
H. Con. Res. 190: Mr. HOLT.
H. Con. Res. 210: Mr. DICKS, Mr. YOUNG of Florida, Mr. CASE, Mr. SCHIFF, Mr. DEFAZIO, Mr. MARSHALL, Mr. SIMPSON, Mr. ANDREWS, Mr. WOLF, Mr. FORD, Mr. BRADLEY of New Hampshire, Mr. CARTER, Mrs. CAPITO, Mr. MCHUGH, Mrs. JOHNSON of Connecticut, Mr. HERGER, Mr. MCCRERY, Mr. CAMP, Mr. NUSSLE, Mr. SAM JOHNSON of Texas, Mr. ENGLISH of Pennsylvania, Mr. HAYWORTH, Mr. WELLER, Mr. HULSHOF, Mr. LEWIS of Kentucky, Mr. BRADY of Texas, Mr. REYNOLDS, Mr. RYAN of Wisconsin, Mr. CANTOR, Mr. LINDER, Mr. BEAUPREZ, Ms. HART, Mr. CHOCOLA, and Mr. NUNES.

H. Con. Res. 228: Mr. JEFFERSON, Mr. BERMAN, Mr. WATT, Mr. GRIJALVA, Mrs. Drake, Mr. OWENS, Mr. TERRY, Mr. WOLF, Mr. GARY G. MILLER of California, Ms. WOOLSEY, Ms. SOLIS, Ms. KILPATRICK of Michigan, Mr. SHERMAN, Mr. HOLT, Mr. SMITH of Washington, Mr. NORWOOD, Mr. PAYNE, Mr. TOM DAVIS of Virginia, and Mr. CASTLE.

H. Con. Res. 230: Mr. CROWLEY, Ms. ZOE LOFGREN of California, Mrs. BLACKBURN, Mr. TANCREDO, Mr. FERGUSON, Mr. CONAWAY, Mr. BACHUS, Mrs. BONO, Mr. ROGERS of Michigan, Ms. LINDA T. SÁNCHEZ of California, Mr. TERRY, Mr. ROYCE, Mr. CUNNINGHAM, Mr. HUNTER, Mr. GARY G. MILLER of California, Mr. MCKEON, Mr. CALVERT, Mr. LEWIS of California, Mr. MCCRERY, Mr. COBLE, and Mr. RADANOVICH.

H. Con. Res. 245: Mr. MCHUGH, Mr. FORBES, Mr. HALL, Mr. ALEXANDER, and Mr. KUHL of New York.

H. Con. Res. 247: Mr. CAPUANO and Ms. PELOSI.

H. Con. Res. 248: Mr. FOSSELLA, Mr. UDALL of New Mexico, Mr. STEARNS, Mr. TANCREDO, Mr. HOLT, Mr. FOLEY, Mr. HOLDEN, Mr. MCGOVERN, Mrs. NAPOLITANO, Mr. SCOTT of Virginia, Mr. DAVIS of Alabama, Mr. MCNULTY, Mr. WILSON of South Carolina, Mr. WEXLER, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. DOGGETT, Mr. SNYDER, Mr. ROTHMAN, Mr. SCHWARZ of Michigan, and Mrs. MCCARTHY.

H. Res. 137: Mr. BONILLA, Mr. HINOJOSA, Mr. CUELLAR, Mr. ADERHOLT, Mr. POMBO, and Mr. SHERWOOD.

H. Res. 166: Mr. PASCRELL.

H. Res. 192: Mr. FRANK of Massachusetts.

H. Res. 276: Mr. SHAW.

H. Res. 323: Mr. FORD and Mr. ROTHMAN.

H. Res. 388: Mr. CONAWAY and Mr. SCHWARZ of Michigan.

H. Res. 407: Mr. CONAWAY.

H. Res. 411: Mr. MEEHAN and Mr. PAYNE.

H. Res. 438: Mr. ISRAEL, Mr. WAMP, Ms. BERKLEY, Ms. SCHAKOWSKY, Mr. BERMAN, and Mr. MENENDEZ.

H. Res. 444: Ms. SOLIS, Mr. MCHUGH, and Mr. TOM DAVIS of Virginia.

H. Res. 449: Mr. EMANUEL, Mr. HONDA, Mr. PETERSON of Minnesota, Mr. INSLEE, Mr. CONYERS, and Mr. CASE.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151 WASHINGTON, THURSDAY, SEPTEMBER 22, 2005 No. 120

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Father Joseph Breen of Saint Edward's Catholic Church in Nashville, TN.

PRAYER

The guest Chaplain offered the following prayer:

As we gather this morning in this solemn hall of the Senate, considered by those who formed the Constitution to be the great ''anchor'' of the Government, let us call upon God, sovereign Lord of our Nation, to deepen our hearts and our minds to the truth about life, its dignity, and its reflection of the Eternal God. Help us to appreciate the truth that life is always good and that every life is of equal dignity.

We are thankful for the eyes we have to see, hearts to understand, the depth to think, and the concern to care. As we take life one day at a time, we ask for guidance and strength. We do not have yesterday or tomorrow, only today. Help us to remember the problems we encounter are but opportunities that are put before us to use creative energies, making a better world for everyone.

Lord, thank You for giving me this opportunity to express the love and the gratitude of the people of our great Nation to our lawmakers who so willingly have given themselves to public service.

Bless our Senators now and always. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN E. SUNUNU led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 22, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3 of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. SUNUNU thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2744, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2744) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

Pending:

Dayton modified amendment No. 1844, to condition the use of funds for carrying out a provision relating to prevented planting payments, with an offset.

Bingaman (for Jeffords) amendment No. 1796, to provide funds to carry out the historic barn preservation program, with an offset.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a vote in relation to the Dayton amendment, No. 1844.

The Senator from Utah.

Mr. BENNETT. Mr. President, I see Senator DAYTON is here. The yeas and nays have not been ordered. There have been discussions during the evening about this amendment. I wonder whether the Senator wants the yeas and nays. I would say the Jeffords amendment, which under the previous order is the next pending business, will be withdrawn.

AMENDMENT NO. 1796 WITHDRAWN

I ask unanimous consent that it be withdrawn, after conferring with Senator JEFFORDS and his staff.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 1844, AS MODIFIED

Mr. BENNETT. We are now on the Dayton amendment.

The ACTING PRESIDENT pro tempore. The vote occurs in relation to the Dayton amendment, No. 1844, as modified.

Mr. DAYTON. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE) is necessarily absent.

The PRESIDING OFFICER (Ms. MURKOWSKI). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 52, as follows:

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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[Rollcall Vote No. 240 Leg.]

YEAS—47

Akaka	Feingold	Mikulski
Baucus	Feinstein	Murray
Bayh	Grassley	Nelson (FL)
Biden	Harkin	Nelson (NE)
Bingaman	Inouye	Obama
Boxer	Jeffords	Pryor
Byrd	Johnson	Reed
Cantwell	Kennedy	Reid
Carper	Kerry	Rockefeller
Clinton	Kohl	Salazar
Coleman	Landrieu	Sarbanes
Conrad	Lautenberg	Schumer
Dayton	Leahy	Stabenow
Dodd	Levin	Thune
Dorgan	Lieberman	Wyden
Durbin	Lincoln	

NAYS—52

Alexander	DeWine	McConnell
Allard	Dole	Murkowski
Allen	Domenici	Roberts
Bennett	Ensign	Santorum
Bond	Enzi	Sessions
Brownback	Frist	Shelby
Bunning	Graham	Smith
Burns	Gregg	Snowe
Burr	Hagel	Specter
Chafee	Hatch	Stevens
Chambliss	Hutchison	Sununu
Coburn	Inhofe	Talent
Cochran	Isakson	Thomas
Collins	Kyl	Vitter
Cornyn	Lott	Voinovich
Craig	Lugar	Warner
Crapo	Martinez	
DeMint	McCain	

NOT VOTING—1

Corzine

The amendment (No. 1844), as modified, was rejected.

Mr. BENNETT. I move to reconsider the vote.

Mr. BIDEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FARMERS MARKET PROMOTION PROGRAM

Mr. HARKIN. Madam President, I would like to take a moment and comment about an important program that I worked to include in the 2002 farm bill. I wish to engage Chairman BENNETT, manager of the fiscal year 2006 Agriculture appropriations bill, in a colloquy regarding the Farmers Market Promotion Program.

The House of Representatives has already passed its Agriculture appropriations bill, which includes $1 million in funding for the Farmers Market Promotion Program. As the Senate wraps up its work on the pending bill and looks ahead to conference, I would like to request that the chairman do all he can in those negotiations to secure full funding for this important program.

Authorized in section 10605 of the 2002 farm bill, the Farmers Market Promotion Program would provide critical Federal grant dollars to local governments, chambers of commerce, farmers market alliances, coops, and economic development organizations to support the expansion, development and maintenance of farmers markets and other direct marketing opportunities. An initial investment of $1 million will help to get this program up and running, bringing critical resources to communities nationwide.

I make this request of the chairman understanding the budget pressures and competing interests within this bill. I would like to say at this time, however, this $1 million would be very well spent. Consumers are demanding locally grown farm raised agricultural products and producers want to meet this demand. In my State and across the Nation exciting things are happening in the area of new markets for agricultural products, but many communities lack the needed seed money to get off of the ground.

Mr. BENNETT. The Senator from Iowa and ranking member of the Senate Committee on Agriculture, Nutrition and Forestry, as well as member of the subcommittee of jurisdiction over this bill, raises some important points about funding in the bill. I will work with Senator HARKIN in conference to address this issue.

Mr. HARKIN. I am grateful to the Chair and thank him again for his skillful work at crafting a bill that can be supported by the full Senate.

Mr. DEWINE. Madam President, I thank Chairman COCHRAN for taking the time to have this very serious discussion with me about a life saving proposal that I believe needs to become part of this bill before it is passed into law.

The proposal, originally suggested by President Bush, would allow a small percentage of U.S. food aid dollars to be used to purchase food locally in the country or region of a food aid crisis until U.S. food aid can arrive. For example, if there is a food crisis in Ethiopia, the U.S. Government would be able to purchase food in neighboring countries, or even in other areas of Ethiopia where food is available, and use it to save lives until food shipped from the United States could arrive. On average, U.S. food aid takes over 4 months to arrive in countries in need, and during that gap period, people die—children die.

There is also another consideration that makes this proposal even more imperative. U.S. food aid is stored in Galveston, TX, and 60 percent of our food aid shipments exit through the Gulf of Mexico. Now, with Rita raging off the coast of Texas, several hundreds of millions of dollars of food aid are in the direct path of the storm.

Even if the food stores are not destroyed by this storm, the vessels that were intended to transport the food aid have been sent out to sea and rail companies are not picking up additional commodities. This means the U.S. food aid delivery system is in a state of arrest. If we do not provide a limited authority to purchase food locally until U.S. food aid can arrive in countries suffering from a food shortage crisis, kids will starve to death as they wait for help to arrive. We cannot in good conscience let that happen.

This is one of those rare times when we, as elected officials, have the opportunity to take a step that directly saves lives. Make no mistake about it—if we fail to give the U.S. Agency for International Development the flexibility to purchase food from local sources, our lack of action will prevent us from saving lives. Failing to act will cost the lives of thousands of suffering men, women, and children. I trust that such a failure is simply not acceptable to my fellow Senators. It certainly is not acceptable to me.

Mr. COCHRAN. I thank the Senator from Ohio for bringing this issue to my attention and note his desire to provide funding for this new proposal to provide cash for in-country commodity purchasing. I want the Senator to know that I will work with him throughout the conference negotiations on this bill to address this issue.

FOOD ASSISTANCE PROGRAMS

Mr. BAUCUS. I rise today to express my deep concern with the state of our Nation's food assistance programs. In recent weeks our Nation has seen first hand the critical importance of food assistance programs in helping our fellow Americans in times of need. After Hurricane Katrina, with Hurricane Rita bearing down on the Texas coast, and with rising fuel costs, our ability to provide the resources needed by Americans need of food assistance is threatened. This is a critical problem one I have seen in the gulf States but also seen in Montana where many of my fellow Montanans rely on food assistance.

Mr. COCHRAN. I join my colleague from Montana in expressing concern over the condition of the Nation's food assistance programs. I too believe that participation in these nutrition programs may increase due to the recent hurricane. I look forward to working with the Senator to provide adequate funding to meet the demand for food assistance.

Mr. BAUCUS. I appreciate Chairman COCHRAN's understanding and concern. I have seen some of the devastation in the gulf and want to express my sympathy and pledge my support to help. Montanans have seen the devastation and like me, they have opened their arms and hearts to Gulf State evacuees. I hope that the chairman will join me in pledging his support for taking immediate action to help alleviate the critical needs faced by Americans in the gulf as well as citizens across the country regarding food assistance. The Senate should act, and act now to provide Americans relying on food assistance assurance that the resources they rely upon will be there when they need it.

Mr. KOHL. I join my distinguished colleagues from Mississippi and Montana. Providing emergency funds for the food assistance programs in this country is desperately required. Americans in the gulf, as well as my home State of Wisconsin, should be provided the food assistance that they need. Congress must act to address the essential needs of these Americans by ensuring that the Nation's food banks, emergency feeding and other food assistance organizations have the resources they require.

Mr. SALAZAR. Madam President, I rise to speak about the fiscal year 2006 Agriculture appropriations bill. I want

to begin by thanking Chairman BENNETT and Ranking Member KOHL for their hard work on this important bill. They were given a tough assignment—to meet the needs of our rural communities in the context of a very tough budget picture. They have done a good job.

I have several amendments to this bill, and I know we have reached an agreement on two of them. I thank my colleagues and their staffs, Galen Fountain and Fitz Elder for their help. I will discuss those amendments shortly.

I have spoken in this Chamber before about the forgotten America and, once again, I stand here today to speak about my concern that we are not doing everything we can on behalf of those farmers, ranchers and agri-businesses which continue to play a vital role in our Nation's rural communities.

I am concerned about these communities. Too often, Washington leaves those communities to wither on the vine.

The administration has proposed reductions in farm commodity programs, crop insurance, food assistance, rural development and conservation.

Just yesterday, the U.S. Department of Agriculture announced that Hurricane Katrina caused an estimated $900 million in farm losses, however according to reports, this estimate did not include long-term infrastructure losses such as damaged barns, machinery, and fuel shortages.

The bill before us takes steps to send a message to rural America that we are not forgetting that vital part of our country.

It invests 3 percent more than the House-passed bill.

It adds back many of the important investments that the President proposed cutting in his budget earlier this year.

There are also important investments for Colorado. Specifically, Colorado State University in Fort Collins will receive $1.9 million in important agriculture research programming.

Colorado will see nearly $32 million in agricultural research and conservation projects, including $15 million in investment to fight noxious weeds and funding for resource conservation and development councils.

I think we can do more, and we must do more, because it is not just Washington that forgets rural America. Consider this. Earlier today, I got on the World Wide Web and googled gas prices on Google News. Sixty-four pages came back with stories on the gas prices that are hurting this country.

But through tens of pages of stories, I did not see a single story on the impact of high gas on farmers and ranchers. I did see stories on: rising gas prices hurting commuters; rising gas prices hurting SUV drivers; rising gas prices hurting local governments; rising gas prices hurting lottery sales; rising gas prices hurting pizza delivery prices; rising gas prices hurting golf travel plans; and rising gas prices hurting leaf watchers.

I have no doubt these high prices are hurting families in each of these situations.

But I also know that now, today, this week, in the height of harvest time, no one is hurt by gas prices more than farmers and ranchers.

Here is what I am hearing from my State. During harvest, agricultural producers are some of the largest fuel consumers in the U.S. and producers are facing enormous fuel costs. In Grand Junction, CO, diesel prices are as high as $3.16.

I have heard from one Colorado farmer in Kit Carson County who has estimated that in order to harvest this year, he will need an additional $46,000 to cover fuel costs alone.

I have also heard from another farmer in northeastern Colorado who, in order to cover the increasing price of fuel, has applied for additional loans at this bank only to be turned down because he is already overextended with existing loans.

That is why I am so pleased this bill now includes my amendment to require the Secretary of Agriculture to work with the Secretary of Energy to produce a comprehensive report on the impact of high gas prices on our farmers, ranchers and rural communities across the country. That data is the first step toward a comprehensive solution to helping these communities address these terrible prices.

I am also pleased the bill now includes my amendment to call the Secretary's attention to an issue that is plaguing Colorado and the West. I know that the chairman is acutely aware of this problem, and thank him and his staff for their support.

The Forest Service reports that during 2004, a total of 7 million trees covering over 1.5 million acres, were killed by several different types of bark beetles throughout the State of Colorado.

Severely impacted counties in my State include: Grand, Jackson, Routt, Summit, Eagle, Park, Chaffee, Pitkin, Saguache, Gunnison, Hinsdale, San Miguel, Ouray, Delta, Montrose, Mesa, and Garfield.

Awareness of the bark beetle infestation has grown with the increasing visual impact of the large stands of dead trees visible from I–70 and Colorado's resort communities.

These infestations will leave millions of acres of Colorado forests at risk of a catastrophic fire.

Regrettably, in the face of this challenge, the Secretary of Agriculture continues to underplay the importance of Forest Service funding. I am thankful that my colleagues on the Interior appropriations subcommittee have done what they can in this budget environment to increase funding to fight pine beetles.

But we can do better. Consider this: total USFS funding down 11 percent from last year; forest health management funding is flat; fiscal year 2006 wildland fire management appropriated additional $25 million for forest health activities on Federal and State land, $15 M and $10 M, respectively).

That is why it is so important that we send this message to the Secretary today. He needs to help us be able to do more to fight this scourge. And this amendment today is the first step in that effort.

I will spend this upcoming weekend with my mother, on our family ranch in the San Luis Valley and will lend a helping hand to the potato harvest on the farm. The people of that valley—like the people of rural communities across this great country—may not get the chance to ever come to Washington to see the work we do. Nonetheless, I hope, that our work makes it to them, so that they can be assured that we have not forgotten them.

Mr. LEVIN. Madam President, earlier this month, the emerald ash borer was positively detected in the Upper Peninsula of my home State of Michigan for the first time. Officials believe that this may be an isolated outbreak, and hope that it can be successfully contained.

Unfortunately, this is an aggressive pest that we in Michigan have been fighting for years, however we have had only limited success in containing the infestation in the past. It is believed that the ash borer was brought to Michigan about 6 years ago through the channels of international trade. What started as a local infestation in a few counties in southeastern Michigan has grown to infest the entire Lower Peninsula. This find in a State park in Michigan's Upper Peninsula is significant because it shows that efforts and the resources provided until now have not been adequate to contain the pest.

While even as we speak, research is being conducted by some of our State's best experts on ways to kill the bug while saving our ash trees, a lack of funding is hampering these efforts. Whatever funding is available must be balanced between research efforts and eradication and containment. For now, that means removing our ash trees. In Michigan alone, we are nearing 10 million trees removed. I cannot tell you how distressing it is for communities which have been forced to remove trees and have little or no funding to replace them. Ann Arbor, near the heart of the infestation and known for its beautiful downtown tree-lined streets, is increasing devoid of foliage, as is the case with too many of our cities and towns.

The State of Michigan anticipated $30 million in Federal funding last year for activities related to eradicating emerald ash borer. Unfortunately, they only received a third of that. This has severely affected our ability to do what is necessary to eradicate this pest. Chipping of these downed trees has ground to a halt, and funding to enforce the State's wood quarantines has been strained. We cannot continue to hold back the spread of the ash borer on our own with such meager funding.

This year, recognizing the serious threat that the ash borer poses to the Nation, the administration requested $32 million for eradication efforts. However, the Senate bill before us provides only $5.96 million for the efforts. This is simply far too inadequate.

The House of Representatives approved $14 million for emerald ash borer-related activities in their Agriculture appropriations bill. While this is still far below what is required, I believe it is a positive first step to providing the desperately needed funding to slow the spread of the ash borer.

We must recognize that this is a nationwide problem that is unfortunately not receiving the recognition or support that it should. A handful of States where EAB has been detected cannot be expected to contain the bug on their own forever. We have seen how quickly the ash borer has infested my State of Michigan, taking only 5 years to spread throughout the Lower Peninsula. Without adequate resources, we face a serious threat to our ash stock. The further spread of the emerald ash borer would be economically devastating to my State, and possibly to much of the rest of the Nation.

I am hopeful that the Senate conferees to this bill will accept the House's level of $14 million for EAB eradication efforts.

Mr. FEINGOLD. Madam President, I am pleased that the Senate has approved H.R. 2744, the fiscal year 2006 appropriations bill providing vital funding for the Department of Agriculture, Food and Drug Administration and related agencies. While I may not support every provision, this bill provides important funding to support our Nation's farmers, rural communities, and conservation programs along with providing nutritious food for seniors, children and those in need.

I am pleased that the Appropriations Committee rejected a number of administration proposals to reduce or eliminate important programs such as funds for research at our land-grant colleges and universities, conservation partnerships through resource conservation and development councils, and funds to combat Johne's disease in our dairy industry. All of these programs were funded at a minimum of last year's levels instead of receiving drastic cuts.

After years of delay, I was encouraged that the Senate bill included funds to implement mandatory country-of-origin labeling, COOL, for meat, vegetables and fruits. Country-of-origin labeling is vitally important to enable our farmers to show their pride in the quality of their products, from ginseng to cheese to cranberries. Wisconsin farmers are proud of their work, and many consumers want to support American products—with country-of-origin labeling, both farmers and consumers benefit. I urge the Senate conferees to insist on funding COOL when they meet with the House conferees to resolve differences between the two Chambers' bills.

The Senate bill included over $18 million for efforts to control and eradicate chronic wasting disease, CWD, in deer and elk. In addition to this much needed funding, I also worked with Senator ALLARD to include a provision that would require the Department of Agriculture to set minimum national standards for CWD control. Under the current system there are various State regulations but no set of basic procedures guiding the movement, handling, testing and permitting of captive-raised deer and elk. Our amendment, that was included as part of the bill, requires the Animal Plant Health Inspection Service to publish its uniform methods and rules concerning CWD within 90 days of enactment of the provision. With CWD being newly discovered in New York and West Virginia, it is clear that this disease requires a national response. This provision is an important step to prevent the further spread of CWD and help deer and elk farmers operate safely throughout the Nation.

High fuel costs are putting a squeeze on all Americans, but our farmers are in a particularly vulnerable position. While the high fuel costs are hitting them at many levels, they have little flexibility in whether to plant and harvest their fields, pay to move their products to market or procure fertilizer and feed. More than that, they receive what the market dictates for their products, so when fuel costs double or triple and they see fuel surcharges on every one of their bills, they can't pass these costs on and receive a higher price for their milk, grain or other products. In recognition of this difficult situation, I was proud to cosponsor an amendment offered by Senator SALAZAR that was included in the bill as a first step to addressing this problem. The amendment requires the Department of Agriculture to study the issue and issue a report on the impact to farmers.

I also submitted an amendment to the bill to require the Food and Drug Administration, FDA, to conduct a study on the levels of pesticides in domestic and imported ginseng. With Wisconsin ginseng being highly prized worldwide for its quality and lack of unsafe residues, mislabeled imported ginseng, often with high levels of pesticide residues, remains a problem for our producers. This study would have investigated this issue and provided important information to focus FDA's enforcement activities on reducing the amount of unsafe ginseng being passed off as Wisconsin- or U.S.-grown and helping growers fight back against this unfair competition. I was disappointed that I was blocked from having this amendment included in the bill. Despite this setback, I will continue to fight for better enforcement to protect consumers and Wisconsin's ginseng growers.

Mr. DODD. Madam President, I thank Senator BENNETT and Senator KOHL for their efforts as floor managers of H.R. 2744, the Agriculture appropriations bill, and for their willingness to include in that legislation an amendment that I offered along with Senators HARKIN, REED, CARPER, BIDEN, and LIEBERMAN.

Our amendment, No. 1818, expresses the sense of the Congress that the Food and Drug Administration, FDA, should act within 1 year to issue comprehensive labeling guidelines for over-the-counter, OTC, sunscreen products—a so-called ''final monograph.'' The FDA began work to develop such a monograph in 1978. In 2002, after 24 years, the agency issued a final monograph. Unfortunately, the final sunscreen monograph failed to address one of the most critical aspects of sunscreens—how to measure protection against UVA rays, which are responsible for causing skin cancer. Because the final monograph failed to address this key issue, the FDA stayed it until a comprehensive monograph could be issued in order to avoid consumer confusion and the need for unnecessary product relabeling.

That stay was issued nearly 4 years ago, and the FDA has yet to issue a comprehensive final monograph. Sunscreen manufacturers need clear guidance on product labeling in order to provide consumers with crucial information about the protective benefits of sunscreen products. Studies have shown that skin cancer rates continue to rise, especially in younger adults and women.

Furthermore, in the face of FDA inaction, States are poised to fill the void, raising the specter of a patchwork of state labeling requirements that could be confusing to consumers and unnecessarily burdensome to manufacturers. Pursuant to section 751 of the Federal Food, Drug, and Cosmetic Act, FFDCA, which was enacted in 1997, a Federal rule on sunscreen labeling would preempt any related State labeling requirements. But this preemption does not apply in the absence of a Federal rule. A recent decision by the Los Angeles Superior Court held that, because there is no final FDA monograph for sunscreens, the FFDCA does not preempt California State labeling and advertising laws. Consequently, California State law can require specific labeling for sunscreens sold in California.

The FFDCA expresses Congress' view that national uniformity of sunscreen labels is important to providing all consumers with equal access to valuable information about the need for sunscreens to reduce the risk of skin cancer. As such, under Public Law 105–115, the Food and Drug Modernization and Accountability Act of 1997, Congress intended the FDA, which has the requisite scientific and medical expertise, to prescribe labels for sunscreen products.

In March 1999, in a letter to FDA Commissioner Jane Henney, Senator REED and I expressed similar concerns about the agency's protracted delay in issuing a comprehensive final OTC

monograph for sunscreen. Sadly, and much to the detriment of many Americans who need clear, accurate, and comprehensive sunscreen labeling as their first line of defense against skin cancer, little has been done by FDA since that time. Twenty-seven years is more than enough time for FDA to finalize this monograph. Again, I thank Senator BENNETT and Senator KOHL for their willingness to address this issue. I urge the FDA to act with all possible haste to finalize the OTC monograph for sunscreen products, and to do so within the next year.

Mr. DURBIN. Madam President, I rise to offer this amendment with Senators MURRAY, OBAMA and AKAKA, and I thank Senators FEINSTEIN and HUTCHISON, as managers of this bill, for working with us to place some reasonable limitations on the review of disability claims for post-traumatic stress disorder that is currently under way in the Department of Veterans Affairs.

The Department of Veterans Affairs is conducting a review of 72,000 cases of veterans whom the VA has already rated at 100 percent disability due to post-traumatic stress disorder. The reason for this review is that the Inspector General of the VA recently found that the Department has, in the past, approved many PTSD disability claims without obtaining key documents from the veterans necessary to demonstrate that the PTSD is connected to their military service. In other words, the VA failed to adequately confirm the facts of the case.

In many cases, however, many years have now passed since the Department rated the veteran as disabled and began providing disability compensation. For many of these veterans suffering from the mental and emotional burdens of some very horrific experiences, that VA disability check may be their only source of income.

Now, the VA is re-opening these cases to determine if there was an error in their collection of documentation, and if so, where and how the error occurred.

Even if there was an error, however, that veteran is now dependent on that income. The veteran should not now—years later—be punished with a loss of their income due to the late discovery by the VA of its own error.

For this reason, the amendment I am offering today prohibits the use of any appropriated funds to revoke or reduce a veteran's disability compensation for post-traumatic stress disorder based on a finding that the Department of Veterans Affairs failed to collect justifying documentation, unless such failure was the direct result of fraud by the applicant.

It is the intent of this amendment that the Department may conduct this review if it provides a report to the Committee on Appropriations on the plan for staffing and funding requirements. The Department cannot, however, correct its error by taking money away from veterans.

America's veterans deserve the undying gratitude of the people of this Nation. America's veterans deserve speedy and accurate processing of their claims at the Department of Veterans Affairs. They do not deserve to be given compensation one day, only to have it taken away years later. Fortunately, the Senate is acting today to prevent that from happening.

Mr. FRIST. Madam President, every morning, farmers and ranchers across America wake up to do the hard work of growing crops, tending livestock, and providing food that is safe, abundant and affordable.

Over 2 million American farms grow the food that feeds the world.

And today we will pass, with near unanimous support, the Agriculture appropriations bill, which helps America's farmers to be the most productive in the world.

The Agriculture appropriations bill funds $100.7 billion for a wide array of Government agencies. Roughly 80 percent of the funding in this bill is for those programs referred to as ''entitlements.'' That includes farm price support programs and funding for low-income, domestic food assistance programs such as food stamps, school lunch, and other child nutrition programs.

The portion of this bill we refer to as ''discretionary'' includes such activities as rural development, rural housing, agriculture research, FDA, and most conservation programs. That portion represents $17.3 billion—less than a 3 percent increase over this year's funding.

Later today, the Department of Agriculture will release their most current estimates on the agriculture damages caused by Hurricane Katrina. Preliminary estimates indicate that the loss of agricultural production in the area might be less than $1 billion. Small comfort to the hard working people who have lost their livelihoods—shrimpers along the coast who have lost their shrimp boats, broiler producers in Mississippi who have lost their facilities.

But we do know that 8 of the 10 major export grain elevators near the Port of New Orleans are operational today. Three major floating rigs, which have comparable capacity to these elevators, are also operational.

Eighty percent of grain export capacity has been restored, and barge movement is now increasing. Export grain delivery from the upper reaches of the Mississippi is catching up with these capacity numbers. The real impact of Katrina on the agricultural sector will be the increasing cost of energy and fertilizer costs.

As I mentioned earlier, the largest expenditure made by the USDA is for food and nutrition programs. The appropriations bill provides $40.7 billion for the Food Stamp Program; $12.4 billion for the school meal programs; $5.3 billion for the Women and Infants and Children program. Rural housing loan programs are allotted nearly $5 billion.

Another critical function of the USDA is to conduct research into improving our farming and conservation methods.

The Department provides grants to local communities for a variety of rural development projects, ranging from electricity improvements, to water infrastructure, waste management, broadband service, and energy efficiency.

During the August recess, I had the opportunity to meet with a group of county mayors back in my home State. Tennessee is a major grower of cotton, corn, and soybeans. This year, we are expected to produce 48 million bushels of soybeans on 1.2 million acres of farmland. The Tennessee USDA office also predicts we will set a new State record for cotton production, at over 1.1 million bales.

While I was home meeting with the county mayors, we discussed Tennessee's thriving farming business and what they need to help it grow. Greater research into agricultural production was one area they highlighted. The farm bill includes significant support for those efforts.ncludes significant support for those efforts.

It includes: $2 million for Appalachian horticultural research, a collaborative project between the USDA and University of Tennessee; $955,000 for research into the best way to protect soil and water quality on farms which can suffer from heavy erosion; and nearly $40 million for the boll weevil eradication program to help our cotton farmers combat this destructive pest.

These programs, along with major funding for the USDA's rural development programs and housing services, are helping farmers around the country continue to feed America, and indeed, the world.

From the very beginning of our Nation's history, farming has been the backbone of our economy, our growth, and our independence. Our earliest settlers were farmers. Farmers and ranchers pioneered our expansion to the West. Indeed, the first patent issued by the Patent Office in 1790 was to Samuel Hopkins for a farming innovation.

I congratulate the chairman of the subcommittee, Senator BENNETT, and the ranking member, Senator KOHL, on reporting a bill that, even in a time of tight budgets, targets spending on the needs of rural America, while also maintaining funding for essential food assistance programs.

By pulling together and remaining focused, the United States Senate is keeping America's expansive food and fiber system moving forward.

Mr. BENNETT. Madam President, all other amendments having been withdrawn or disposed of, we are now to final passage. To accommodate those who need to leave, I reserve any remarks about the bill until after final passage and urge we move to the vote.

Madam President, I yield for the Senator from Alaska.

CHANGE OF VOTE

Mr. STEVENS. Madam President, I ask unanimous consent the vote on 237 be changed. I voted no and I intended to vote aye. I ask it be changed. It will not change the outcome of the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KOHL. Madam President, I thank Senator BENNETT once again for his hard work and expert managing of this bill. It has been a pleasure to work with him, and I look forward to continuing to work together as we conference this bill with the House. I also publicly and sincerely thank John Ziolkowski, Fitz Elder, Hunter Moorhead, Dianne Preece, and Stacy McBride on his staff for their hard work and dedication.

They exhibited professionalism and a strong work ethic throughout this entire process, and worked seamlessly with my staff—something I am constantly reminded of as a rare occurrence in what can be an incredibly partisan place. I look forward to continuing this strong spirit of cooperation.

Mr. BENNETT. Madam President, I call for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 2, as follows:

[Rollcall Vote No. 241 Leg.]

YEAS—97

Akaka	Coleman	Hatch
Alexander	Collins	Hutchison
Allard	Conrad	Inhofe
Allen	Cornyn	Inouye
Baucus	Craig	Isakson
Bayh	Crapo	Jeffords
Bennett	Dayton	Johnson
Biden	DeMint	Kennedy
Bingaman	DeWine	Kerry
Bond	Dodd	Kohl
Boxer	Dole	Kyl
Brownback	Domenici	Landrieu
Bunning	Dorgan	Lautenberg
Burns	Durbin	Leahy
Burr	Enzi	Levin
Byrd	Feingold	Lieberman
Cantwell	Feinstein	Lincoln
Carper	Frist	Lott
Chafee	Graham	Lugar
Chambliss	Grassley	Martinez
Clinton	Gregg	McCain
Coburn	Hagel	McConnell
Cochran	Harkin	Mikulski
Murkowski	Salazar	Stevens
Murray	Santorum	Talent
Nelson (FL)	Sarbanes	Thomas
Nelson (NE)	Schumer	Thune
Obama	Sessions	Vitter
Pryor	Shelby	Voinovich
Reed	Smith	Warner
Reid	Snowe	Wyden
Roberts	Specter	
Rockefeller	Stabenow	

NAYS—2

Ensign Sununu

NOT VOTING—1

Corzine

The bill (H.R. 2744), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Madam President, at this time I would like to thank those who worked so hard to help us with the bill, particularly Dave Schiappa and Laura Dove here on the floor, along with Bill Hoagland of the leader's staff and Chairman CHAMBLISS and his staff, all of whom have been tremendously helpful. We also thank David Tinsley, Kathie Alvarez, Lula Davis, the Parliamentarians, and the cloakroom staff. These marathon activities are not the best kind of situations for some of these folks whom we take for granted around here. I want to acknowledge their help and their support.

I, of course, want to acknowledge the staff of the subcommittee, and I will list their names as a single staff, even though technically they are divided between majority and minority, but in this subcommittee we work together as if we are one staff: John Ziolkowski, Fitz Elder, Hunter Moorhead, Dianne Preece, Stacy McBride, Galen Fountain, Jessica Frederick, Bill Simpson, and Tom Gonzales.

All of these people have my very deep and sincere thanks for the work in getting this done.

Now, Madam President, I understand we have to appoint conferees.

The PRESIDING OFFICER. Under the previous order, the Senate insists on its amendment, requests a conference with the House on the disagreeing votes of the two Houses, and the Chair appoints Mr. BENNETT, Mr. COCHRAN, Mr. SPECTER, Mr. BOND, Mr. MCCONNELL, Mr. BURNS, Mr. CRAIG, Mr. BROWNBACK, Mr. STEVENS, Mr. KOHL, Mr. HARKIN, Mr. DORGAN, Mrs. FEINSTEIN, Mr. DURBIN, Mr. JOHNSON, Ms. LANDRIEU, and Mr. BYRD conferees on the part of the Senate.

UNANIMOUS CONSENT AGREEMENT—H.R. 2528

Mr. BENNETT. Madam President, I ask unanimous consent that at 11:30 a.m. today, the Senate proceed to the immediate consideration of Calendar No. 169, H.R. 2528. I further ask consent that the committee-reported substitute be agreed to as original text for the purposes of further amendment, with no points of order waived by virtue of this agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. BENNETT. Madam President, I now ask unanimous consent that there be a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMERICAN RED CROSS AND HURRICANE RELIEF

Mr. DURBIN. Madam President, yesterday morning I made a trip to meet with the head of the American Red Cross. ADM Marty Evans is an extraordinary person. She was born in Springfield, IL, and served in the U.S. Navy for 29 years. She rose to the rank of rear admiral and, after her retirement from the Navy, spent several years as head of the Girl Scouts of America. Then a few years ago, she was chosen to be CEO of the American Red Cross.

The American Red Cross is an extraordinary agency. There are some 4,500 employees in Washington, 30,000 nationwide, millions of volunteers. Those of us who have had the good fortune of working with the Red Cross know that the people working in Washington are important, but the volunteers in the field are absolutely essential—men and women from communities across America who, at the first warning signal, are prepared to give up their personal lives and move to where they are needed. The help they bring and have brought has made a difference so many times in the lives of victims.

As Ms. Evans told me yesterday, this is not just a matter of hurricanes and floods. They respond to house fires to try to make certain that families and individual communities have a helping hand. I asked her what she did in preparation for Hurricane Katrina, how the American Red Cross positioned itself. I asked what they were doing in anticipation of Hurricane Rita, which we are all watching so closely. She said they didn't wait for a Government signal. They knew what they had to do. They positioned their people, their resources in safe locations where they could move in as quickly as possible after the disaster. They gave a helping hand in the evacuation. But they were ready and prepared, if something terrible occurred. It was heart warming and reassuring to know that the American Red Cross and other extremely important charitable organizations such as America's Second Harvest based in Chicago,

the Salvation Army, and so many faith-based groups are prepared and ready to move.

We are now watching, because of satellite imagery, the course of Hurricane Rita, praying that it will not strike with the force of a category 5 hurricane on the coast of Texas and Louisiana, and that somehow, some way, at the last moment we will be spared. But whether we are spared or not, we must be prepared.

This administration has been haunted by Hurricane Katrina for the last 3 weeks. President Bush has made at least five different visits to New Orleans to be visibly present during the rescue and recovery. He made a historic speech from Jackson Square about the challenge which Hurricane Katrina places on Americans. I thought what the President said was the right thing. I am a loyal Democrat, but I listened carefully to what the President said, and I thought the President showed the kind of leadership America needs at this moment.

I will refer later in my remarks to the question of what went wrong with Hurricane Katrina. But looking forward, as we must as a nation, we need to stand behind those victims, their families, the communities, and the States that were hit by Hurricane Katrina. It was a call to arms by the President for this Congress to join with him and the American people in standing up for the most vulnerable people in our country. That is as truly American as it gets.

Listen to the debate that has followed President Bush's announcement in New Orleans. We have had Members of Congress saying we can't afford to do it. We can't afford to provide the disaster assistance for these people to rebuild their lives and for these communities to rebuild their infrastructure and their homes. There have even been arguments from some that we can't consider spending this money because we have to keep our word to the wealthiest people in America that we promised we would cut their taxes.

The budget resolution we passed in the Senate and in the House this year promised that before we went home at the end of the year, we would give $70 billion more in tax cuts to the wealthiest people in America. We also promised in the budget resolution, which I opposed, that we would cut Medicaid, which is health insurance for poor and elderly people, and that we would cut student loan assistance. That was part of what I considered a poorly thought out budget resolution which passed with Republican majorities in the House and Senate.

Now with the intervention of Hurricanes Katrina and Ophelia, and the possibility of Hurricane Rita and damage, many Republicans are arguing: We have a solemn responsibility to cut the taxes for the wealthy first, to cut Medicaid expenditures for the poor and elderly, and to cut student loans, and we don't have the resources to help the victims.

That is unfortunate. It reflects a difference in values. It reflects a difference in priorities. This Senator from Illinois believes that our first obligation is to the most vulnerable in America. Our first obligation is to those helpless victims and those communities who, through no fault of their own, are suffering today. It is time for us to be straightforward. It is time for the President to be straightforward to Republican leaders in the House and Senate, to say clear and unequivocally: We cannot afford to go forward with more tax cuts for wealthy people as we fight a war in Iraq and Afghanistan and as we come to the assistance of our neighbors who suffered because of these terrible natural disasters.

If the President will do that, I can guarantee him this: There is plenty of room on this side of the aisle for Democrats to join him in a bipartisan response to a national disaster which paid no attention to party affiliation.

I can say that with confidence because after 9/11/2001, that is exactly what happened. Democrats and Republicans alike joined hands in the face of that terrorist disaster and said we will stand behind the victims and their families and the State of New York and that city that endured that great loss, as well as, of course, our friends in the Pentagon who were victims as well of 9/11.

We stood together on a bipartisan basis. We did some exceptional things, things to make our country stronger, things to respond to the attack that had taken place. The list is long, starting with resolutions condemning terrorism, appropriations bills, and special bills to put money after 9/11 where it was needed the most, the Airline Stabilization Act, Uniting and Strengthening America Act, the USA PATRIOT Act, the intelligence bills, the defense bills—the list goes on and on.

These were strong bipartisan measures taken in the wake of 9/11 by Democrats and Republicans. We need that same spirit today. We need that spirit to stand behind the victims of Hurricane Katrina and their families and, God forbid, if Hurricane Rita will wreak the same type of havoc, we need to stand behind those victims as well, making certain first we have the resources in FEMA to respond to national emergencies.

There was a feeling 4 years ago that America had received a wakeup call after 9/11, that we had to be ready and prepared as a nation to respond to whatever was thrown at us. Extraordinary measures were taken, extraordinary speeches were made, but when Hurricane Katrina struck, we were not ready.

There has been a lot of question about how to answer the question, What did we do wrong, what did we fail to do with Hurricane Katrina? We better get those answers and get them quickly, not just to point blame, which some say is what it is all about, but for accountability, to figure out what went wrong so it does not happen again. That is basic. It is not a blame game. There is no game involved. It is a matter of accountability.

Sadly, our friends on the other side of the aisle believe the only accountability can come about if a majority of those who are asking the questions are members of the President's party. We learned after 9/11 that it was much better to bring in an independent, nonpartisan commission to ask those hard questions.

The 9/11 Commission, cochaired by Gov. Thomas Kean, a former Republican Governor of New Jersey, and Congressman Lee Hamilton, a former Democratic Congressman from Indiana, did an exceptional job. The strong bipartisan commission came up with measures and recommendations which truly changed the way we govern America and changed the way we think about our responsibility in Congress, as well as in the executive branch.

We need exactly the same type of commission when it comes to Hurricane Katrina. But for reasons I cannot explain, the Republicans have steadfastly refused to appoint an independent, nonpartisan commission to find out what went wrong several weeks ago with Hurricane Katrina. That is the only way to come up with a credible analysis of that failing, whether it occurred at the Federal level, the State level, the local level, or right here in Congress. Let's have an honest, independent, nonpartisan commission, as we did after 9/11.

Instead, the Republican leadership says let's press forward with our own internal investigation. That has no credibility—or very little, I might say. I have been a member of the Senate Intelligence Committee where Senator ROBERTS, as the chairman, has promised he would investigate the misuse of intelligence information before the invasion of Iraq. That promise has been made for over a year. Nothing has happened.

We have called time and time again for a congressional investigation of the contracts in Iraq, the no-bid contracts in Iraq to companies such as Halliburton. We know there is evidence of abuse, misuse of taxpayers' funds, and yet this Republican Congress refuses to have a full-scale, honest investigation of Halliburton and the other contractors who are profiteering at the expense of our troops and at the expense of our taxpayers.

So it is time to concede the obvious. We cannot have a thorough, meaningful investigation of Hurricane Katrina without an independent commission. And we cannot come up with the resources to address Katrina and the other natural disasters until the President makes it clear to the Republican leadership in Congress that we can no longer afford the promised tax cuts to the wealthiest people in America.

It is time for us to assess the reality of the challenges we face in Iraq, in Afghanistan, and right here at home. It is

time for us to dedicate the resources to rebuilding and strengthening America, rather than strengthening the coffers of a few corporations that happen to have political connections. That is our responsibility.

I hope my colleagues in the Senate and the House will gather together and understand that rebuilding our Nation is our first responsibility. We must understand that the least fortunate among us need our help today. They are more vulnerable than they have ever been.

We cannot change the past, but now with another hurricane moving across the Gulf of Mexico, we can work together in a bipartisan way to change the future. America can certainly do better.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALEXANDER). Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HURRICANES AND THE PRICE OF OIL

Mr. NELSON of Florida. Mr. President, Hurricane Rita, bearing down on the gulf coast of Texas, perhaps Louisiana again, a category 5, with winds that have gotten up to 175 miles an hour, is very similar to Hurricane Katrina 3 or 4 weeks ago. It sprang up as a category 1, hitting south Florida first. Katrina did quite a bit of damage, as you would expect with winds in the range of 80 and 85 miles an hour. There was a lot of debris. There was the loss of electricity as it went over Miami, Dade County. Then, of course, when it got out to the gulf, fueled by those warm waters, about 87 degrees, providing the fuel for the hurricane, it surged in intensity on up to category 5, coming down to a category 4 before it hit the Louisiana coast.

It is eerily similar; Hurricane Rita springing up and hitting Florida this time actually 50 miles south of Key West, of course, with those counterclockwise winds, and a category 1 hitting Key West—that being the strongest side of the storm—and then out over the warm waters of the gulf. This is what we have as it is approaching landfall Saturday morning.

Before Katrina, this Nation was finally waking up to how vulnerable we are in our dependence on energy sources. Specifically, the Nation was waking up to the fact that 58 percent of our daily consumption of oil comes from foreign shores. That is not a very good position to be in if you have to depend on foreign lands for that oil. The price of gasoline was spiking up prior to Katrina, in the range of $2.70 a gallon. This was during August. I was doing townhall meetings all over my State of Florida, and I can tell you at $2.70 a gallon, people are hurting. Senior citizens on fixed incomes cannot afford to drive to the doctor. People making $20,000 a year can't afford to drive to work.

Then along comes Katrina, and because of hitting the area of our refinery capacity, the scare goes into the market and the price of gasoline surges. In one station, overnight—one station on Interstate 10 near Tallahassee—it surged 40 cents to well over $3 a gallon.

I can tell you because I know what my people feel in Florida, they are hurting. They are having difficulty making ends meet, even without now having this additional cost. Here we go again. Here comes the next major hurricane, Hurricane Rita. It is now apparently bearing down on the Galveston-Houston area, one of the major shipping ports of the world. Also, that is where a great deal of the oil activity and the oil refinery capacity of this country is located. If it does knock out some of that refinery capacity, we are going to see these spikes in the price of gasoline to the point that it is starting to hurt our people.

Is it going to take another tragedy like this for us to finally wake up and, as a nation, get our heads out of the sand and address this energy-dependent condition in which we find ourselves? Mind you, this is with the backdrop that over the past 4-plus years I have been privileged to be a Member of the Senate, we have tried almost every year to do a simple little thing, and that is to raise miles per gallon on SUVs and phase it in over a long period of time so it doesn't hurt anybody. But we cannot even get 40 votes out of 100 Senators for an amendment like that, to try to address the energy-dependent condition in which this Nation finds itself.

What are we going to do? Is it going to take another Katrina-like tragedy to shake us out of our lethargy? We might be shaken come next Saturday morning.

There are a number of things we can do. But before I go into that, let me tell you about this thin thread we are hanging onto in our energy dependence. With 58 percent of our daily consumption foreign oil, any disruption in the system automatically will cause prices to spike and could come to the position of paralysis. It could be a major shutdown because of some malfunction in a refinery. Lord forbid, it could be a terrorist sinking a supertanker in the Strait of Hormuz, that 19-mile-wide strait in the Persian Gulf through which all of the world's tankers have to go out into the open sea to supply a world thirsty for oil. It could be another series of hurricanes. Whatever it is, that thin thread of the supply line could have devastating consequences for this country, if we cannot satiate our parched throats, this thirst for oil.

We best get on with it. I suggest we start rethinking and get more than 39 votes for mandating increased miles per gallon. I suggest we start making ethanol, not just from corn—which is an expensive process—but from less expensive sources from which our technology now allows us to make ethanol. We can surely make it from sugar cane. We can make a lot from normal waste. Do you know something else. We can make it from grass. We have 31 million acres of prairie grass in this country. Let's cut the grass. Let's make cheaper ethanol and let's mix that ethanol with gasoline that will burn in our existing car engines.

The primary consumption of oil is in the transportation sector, and in the transportation sector are our personal vehicles, where we consume most of that oil. If we start mixing ethanol with gasoline in greater proportions, it will burn in our existing car engines and we will use that much less oil.

But let's do something else. Let's make sure that when the car manufacturers are satisfying the demands of the American public for new automobiles, they satisfy the demands and start producing more hybrid vehicles. If you have a hybrid vehicle, which Toyota has had for the last 6 years, that will get the equivalent of 50 miles per gallon in start/stop traffic, then you are burning less oil. The consumption of oil is less.

If that hybrid vehicle is now burning a fuel that is not just gasoline but is a mixture of gasoline and ethanol, then you are consuming all the less oil.

I suggest one more thing, that we build our hybrid vehicles so that when you park in your garage at night, you plug it in and it charges up that battery, so the next day, when you drive out, you have a fully charged battery so the gasoline engine in your hybrid vehicle is being used less to charge up that battery, and you have charged up that battery overnight from a source of energy other than oil.

These are steps we can take right now. How many more monster hurricanes is it going to take, hitting the refinery capacity of this Nation along the gulf coast, for us to get our heads out of the sand? I hope and pray that Rita is going to lessen and that it will not strike a portion of the coast that brings devastation and tumult and hardship. But as of Thursday midday, that is the course it is on for Saturday morning landfall. The National Hurricane Center is pretty accurate in their predictions.

I am talking to an empty Chamber because we are all out there in committee meetings. I have just run here from trying to help protect us in the Commerce Committee on a question of communications after a natural disaster—which we have experienced after

Katrina. The Judiciary Committee is meeting at this moment as they consider a nominee for Chief Justice of the Supreme Court.

I have made similar remarks on this floor time and time again. If they have not fallen on deaf ears, they have been ignored, as have the similar remarks of other Senators. How many times do we have to be reminded of our vulnerability as a nation, dependent on foreign oil? Let's start enacting some energy policies that will address this problem immediately, to wean ourselves as quickly as possible from dependence on foreign oil.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 2528, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2528) making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

The Senate proceeded to consider the bill which had been reported from the Committee on Appropriations, with an amendment.

(Strike the part shown in black brackets and insert the part shown in italic.)

H.R. 2528

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

[That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies, for the fiscal year ending September 30, 2006, and for other purposes, namely:

[TITLE I

[DEPARTMENT OF DEFENSE

[MILITARY CONSTRUCTION, ARMY

[For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $1,602,552,000, to remain available until September 30, 2010: *Provided*, That of this amount, not to exceed $168,804,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

[In addition, $50,000,000, to remain available until September 30, 2007, for overhead cover systems to support force protection activities in Iraq: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law.

[MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

[For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $1,109,177,000, to remain available until September 30, 2010: *Provided*, That of this amount, not to exceed $36,029,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

[MILITARY CONSTRUCTION, AIR FORCE

[For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,171,338,000, to remain available until September 30, 2010: *Provided*, That of this amount, not to exceed $91,733,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

[MILITARY CONSTRUCTION, DEFENSE-WIDE

[(INCLUDING TRANSFER OF FUNDS)

[For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $976,664,000, to remain available until September 30, 2010: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed $107,285,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

[MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

[For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $410,624,000, to remain available until September 30, 2010.

[MILITARY CONSTRUCTION, AIR NATIONAL GUARD

[For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $225,727,000, to remain available until September 30, 2010.

[MILITARY CONSTRUCTION, ARMY RESERVE

[For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $138,425,000, to remain available until September 30, 2010.

[MILITARY CONSTRUCTION, NAVAL RESERVE

[For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $45,226,000, to remain available until September 30, 2010.

[MILITARY CONSTRUCTION, AIR FORCE RESERVE

[For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $110,847,000, to remain available until September 30, 2010.

[NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

[For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $206,858,000, to remain available until expended.

[FAMILY HOUSING CONSTRUCTION, ARMY

[For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $549,636,000, to remain available until September 30, 2010.

[FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

[For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $803,993,000.

[FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

[For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $218,942,000, to remain available until September 30, 2010.

[FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

[For expenses of family housing for the Navy and Marine Corps for operation and

maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $588,660,000.

[FAMILY HOUSING CONSTRUCTION, AIR FORCE

[For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $1,236,220,000, to remain available until September 30, 2010.

[FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

[For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $755,319,000.

[FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

[For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $46,391,000.

[DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

[For the Department of Defense Family Housing Improvement Fund, $2,500,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

[BASE REALIGNMENT AND CLOSURE ACCOUNT 1990

[For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $377,827,000, to remain available until expended.

[BASE REALIGNMENT AND CLOSURE ACCOUNT 2005

[For deposit into the Department of Defense Base Realignment and Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $1,570,466,000, to remain available until expended.

[BASIC ALLOWANCE FOR HOUSING, ARMY

[For basic allowance for housing, for members of the Army on active duty, $3,945,392,000.

[BASIC ALLOWANCE FOR HOUSING, NAVY

[For basic allowance for housing, for members of the Navy on active duty, $3,592,905,000.

[BASIC ALLOWANCE FOR HOUSING, MARINE CORPS

[For basic allowance for housing, for members of the Marine Corps on active duty, $1,179,071,000.

[BASIC ALLOWANCE FOR HOUSING, AIR FORCE

[For basic allowance for housing, for members of the Air Force on active duty, $3,240,113,000.

[BASIC ALLOWANCE FOR HOUSING, ARMY NATIONAL GUARD

[For basic allowance for housing, for members of the Army National Guard on active duty, $453,690,000.

[BASIC ALLOWANCE FOR HOUSING, AIR NATIONAL GUARD

[For basic allowance for housing, for members of the Air National Guard on active duty, $248,317,000.

[BASIC ALLOWANCE FOR HOUSING, ARMY RESERVE

[For basic allowance for housing, for members of the Army Reserve on active duty, $310,566,000.

[BASIC ALLOWANCE FOR HOUSING, NAVAL RESERVE

[For basic allowance for housing, for members of the Naval Reserve on active duty, $191,338,000.

[BASIC ALLOWANCE FOR HOUSING, MARINE CORPS RESERVE

[For basic allowance for housing, for members of the Marine Corps Reserve on active duty, $40,609,000.

[BASIC ALLOWANCE FOR HOUSING, AIR FORCE RESERVE

[For basic allowance for housing, for members of the Air Force Reserve on active duty, $71,286,000.

[FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, ARMY

[For expenses for facilities sustainment, restoration and modernization of the Army, $1,850,518,000.

[FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, NAVY

[For expenses for facilities sustainment, restoration and modernization of the Navy, $1,344,971,000.

[FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, MARINE CORPS

[For expenses for facilities sustainment, restoration and modernization of the Marine Corps, $553,960,000.

[FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, AIR FORCE

[For expenses for facilities sustainment, restoration and modernization of the Air Force, $1,845,701,000.

[FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, DEFENSE-WIDE

[For expenses for facilities sustainment, restoration and modernization of the Department of Defense, $115,400,000.

[FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, ARMY NATIONAL GUARD

[For expenses for facilities sustainment, restoration and modernization of the Army National Guard, $391,544,000.

[FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, AIR NATIONAL GUARD

[For expenses for facilities sustainment, restoration and modernization of the Air National Guard, $184,791,000.

[FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, ARMY RESERVE

[For expenses for facilities sustainment, restoration and modernization of the Army Reserve, $204,370,000.

[FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, NAVAL RESERVE

[For expenses for facilities sustainment, restoration and modernization of the Naval Reserve, $67,788,000.

[FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, MARINE CORPS RESERVE

[For expenses for facilities sustainment, restoration and modernization of the Marine Corps Reserve, $10,105,000.

[FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, AIR FORCE RESERVE

[For expenses for facilities sustainment, restoration and modernization of the Air Force Reserve, $55,764,000.

[ENVIRONMENTAL RESTORATION, ARMY

[(INCLUDING TRANSFER OF FUNDS)

[For the Department of the Army, $407,865,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

[ENVIRONMENTAL RESTORATION, NAVY

[(INCLUDING TRANSFER OF FUNDS)

[For the Department of the Navy, $305,275,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

[ENVIRONMENTAL RESTORATION, AIR FORCE

[(INCLUDING TRANSFER OF FUNDS)

[For the Department of the Air Force, $406,461,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

[ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

[(INCLUDING TRANSFER OF FUNDS)

[For the Department of Defense, $28,167,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

[ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

[(INCLUDING TRANSFER OF FUNDS)

[For the Department of the Army, $221,921,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

[DEFENSE HEALTH PROGRAM

[For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, as authorized by law, $19,983,912,000, of which $19,184,537,000 shall be for operation and maintenance, of which not to exceed 2 percent shall remain available until September 30, 2007, and of which up to $10,212,427,000 may be available for contracts entered into under the TRICARE program; of which $355,119,000, to remain available for obligation until September 30, 2008, shall be for procurement; and of which $444,256,000, to remain available for obligation until September 30, 2007, shall be for research, development, test and evaluation: *Provided*, That notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than $7,500,000 shall be available for HIV prevention educational activities undertaken in connection with U.S. military training, exercises, and humanitarian assistance activities conducted primarily in African nations.

[ADMINISTRATIVE PROVISIONS

[SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

[SEC. 102. Funds appropriated in this title for construction shall be available for hire of passenger motor vehicles.

[SEC. 103. Funds appropriated in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

[SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

[SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

[SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

[SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

[SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

[SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

[SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

[SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any NATO member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

[SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

[SEC. 113. The Secretary of Defense is to inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

[SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

[(TRANSFER OF FUNDS)

[SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

[SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

[SEC. 117. Notwithstanding any other provision of law, any funds appropriated to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were appropriated if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

[SEC. 118. The Secretary of Defense is to provide the Committees on Appropriations of both Houses of Congress with an annual report by February 15, containing details of the specific actions proposed to be taken by the Department of Defense during the current fiscal year to encourage other member nations of the North Atlantic Treaty Organization, Japan, Korea, and United States allies bordering the Arabian Sea to assume a greater share of the common defense burden of such nations and the United States.

[(TRANSFER OF FUNDS)

[SEC. 119. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

[(TRANSFER OF FUNDS)

[SEC. 120. Subject to 30 days prior notification to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in ''Military Construction'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

[SEC. 121. None of the funds made available in this title may be obligated for Partnership for Peace Programs in the New Independent States of the former Soviet Union.

[SEC. 122. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the Committees on Appropriations of both Houses of Congress the notice described in subsection (b).

[(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including

the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

[(A) the closure or realignment of the installation for which housing is provided under the contract;

[(B) a reduction in force of units stationed at such installation; or

[(C) the extended deployment overseas of units stationed at such installation.

[(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

[(TRANSFER OF FUNDS)

[SEC. 123. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

[SEC. 124. Notwithstanding this or any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: *Provided further*, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

[SEC. 125. None of the funds made available in this title under the heading ''North Atlantic Treaty Organization Security Investment Program'', and no funds appropriated for any fiscal year before fiscal year 2006 for that program that remain available for obligation, may be obligated or expended for the conduct of studies of missile defense.

[SEC. 126. Whenever the Secretary of Defense or any other official of the Department of Defense is requested by the subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives or the subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate to respond to a question or inquiry submitted by the chairman or another member of that subcommittee pursuant to a subcommittee hearing or other activity, the Secretary (or other official) shall respond to the request, in writing, within 21 days of the date on which the request is transmitted to the Secretary (or other official).

[SEC. 127. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

[(TRANSFER OF FUNDS)

[SEC. 128. During the 5-year period after appropriations available to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation, ''Foreign Currency Fluctuations, Construction, Defense,'' to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

[SEC. 129. None of the funds appropriated in this title available for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) or TRICARE shall be available for the reimbursement of any health care provider for inpatient mental health service for care received when a patient is referred to a provider of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility to which the patient is referred: *Provided*, That this limitation does not apply in the case of inpatient mental health services provided under the program for persons with disabilities under subsection (d) of section 1079 of title 10, United States Code, provided as partial hospital care, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional who is not a Federal employee after a review, pursuant to rules prescribed by the Secretary, which takes into account the appropriate level of care for the patient, the intensity of services required by the patient, and the availability of that care.

[SEC. 130. The Secretary of Defense, in coordination with the Secretary of Health and Human Services, may carry out a program to distribute surplus dental and medical equipment of the Department of Defense, at no cost to the Department of Defense, to Indian Health Service facilities and to federally-qualified health centers (within the meaning of section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

[SEC. 131. None of the funds made available in this title may be used to carry out a military construction project, land acquisition, or family housing project for a military installation approved for closure in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), and the Secretary of Defense may not transfer funds appropriated for such a military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the approval of the Committees on Appropriations of both Houses of Congress.

[SEC. 132. None of the funds in this title for operation, maintenance, or repair of housing for general officers and flag officers in the National Capital Region may be used until the Department of Defense submits the report required by section 2802(c) of the Military Construction Authorization Act for Fiscal Year 2005.

[TITLE II

[DEPARTMENT OF VETERANS AFFAIRS

[VETERANS BENEFITS ADMINISTRATION

[COMPENSATION AND PENSIONS

[(INCLUDING TRANSFER OF FUNDS)

[For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 540 et seq.) and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), $33,412,879,000, to remain available until expended: *Provided*, That not to exceed $23,491,000 of the amount appropriated under this heading shall be reimbursed to ''General operating expenses'' and ''Medical services'' for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code), the funding source for which is specifically provided as the ''Compensation and pensions'' appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical facilities revolving fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

[READJUSTMENT BENEFITS

[For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), $3,214,246,000, to remain available until expended: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5), and (11) of that section, shall be charged to this account.

[VETERANS INSURANCE AND INDEMNITIES

[For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487, $45,907,000, to remain available until expended.

[VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

[(INCLUDING TRANSFER OF FUNDS)

[For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by 38 U.S.C. chapter 37: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That during fiscal year 2005, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

[In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $153,575,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

[VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

[(INCLUDING TRANSFER OF FUNDS)

[For the cost of direct loans, $53,000, as authorized by chapter 31 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans,

shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $4,242,000.

[In addition, for administrative expenses necessary to carry out the direct loan program, $305,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

[NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

[(INCLUDING TRANSFER OF FUNDS)

[For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, $580,000, which may be transferred to and merged with the appropriation for ''General operating expenses'': *Provided,* That no new loans in excess of $30,000,000 may be made in fiscal year 2006.

[GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

[For the administrative expenses to carry out the guaranteed transitional housing loan program authorized by subchapter VI of chapter 37, of title 38, United States Code, not to exceed $750,000 of the amounts appropriated by this Act for ''General operating expenses'' and ''Medical administration'' may be expended.

[VETERANS HEALTH ADMINISTRATION

[MEDICAL SERVICES

[For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment and salaries and expenses of health-care employees hired under title 38, United States Code, and aid to State homes as authorized by section 1741 of title 38, United States Code; $20,995,141,000, plus reimbursements, of which not less than $2,200,000,000 shall be expended for specialty mental health care: *Provided,* That of the funds made available under this heading, not to exceed $1,100,000,000 shall be available until September 30, 2007: *Provided further,* That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for treatment for veterans who are service-connected disabled, lower income, or have special needs: *Provided further,* That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further,* That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further,* That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: *Provided further,* That for the Department of Defense/Department of Veterans Affairs Health Care Sharing Incentive Fund, as authorized by section 721 of Public Law 107–314, a minimum of $15,000,000, to remain available until expended, for the purposes authorized by section 8111 of title 38, United States Code.

[MEDICAL ADMINISTRATION

[For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; information technology hardware and software; uniforms or allowances therefor, as authorized by sections 5901–5902 of title 5, United States Code; administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); $4,134,874,000, plus reimbursements, of which $250,000,000 shall be available until September 30, 2007.

[MEDICAL FACILITIES

[For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities and other necessary facilities for the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering and architectural activities not charged to project costs; for repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry and food services, $3,297,669,000, plus reimbursements, of which $250,000,000 shall be available until September 30, 2007.

[MEDICAL AND PROSTHETIC RESEARCH

[For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, to remain available until September 30, 2007, $393,000,000, plus reimbursements.

[DEPARTMENTAL ADMINISTRATION

[GENERAL OPERATING EXPENSES

[For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, $1,411,827,000: *Provided,* That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further,* That the Veterans Benefits Administration shall be funded at not less than $1,086,938,000: *Provided further,* That of the funds made available under this heading, not to exceed $70,000,000 shall be available for obligation until September 30, 2007: *Provided further,* That from the funds made available under this heading, the Veterans Benefits Administration may purchase up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

[NATIONAL CEMETERY ADMINISTRATION

[For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; and hire of passenger motor vehicles, $156,447,000: *Provided,* That of the funds made available under this heading, not to exceed $7,800,000 shall be available until September 30, 2007.

[OFFICE OF INSPECTOR GENERAL

[For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $70,174,000, to remain available until September 30, 2007.

[CONSTRUCTION, MAJOR PROJECTS

[For constructing, altering, extending and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $607,100,000, to remain available until expended, of which $532,010,000 shall be for Capital Asset Realignment for Enhanced Services (CARES) activities; and of which $8,091,000 shall be to make reimbursements as provided in section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612) for claims paid for contract disputes: *Provided,* That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, such as portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund and CARES funds, including needs assessments which may or may not lead to capital investments, none of the funds appropriated under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: *Provided further,* That funds provided in this appropriation for fiscal year 2006, for each approved project (except those for CARES activities referenced above) shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2006; and (2) by the awarding of a construction contract by September 30, 2007: *Provided further,* That the Secretary of Veterans Affairs shall promptly report in writing to the Committees on Appropriations of the House of Representatives and Senate any approved major construction project in which obligations are not incurred within the time limitations established above.

[CONSTRUCTION, MINOR PROJECTS

[For constructing, altering, extending, and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103,

8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $208,937,000, to remain available until expended, along with unobligated balances of previous ''Construction, minor projects'' appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section, of which $160,000,000 shall be for Capital Asset Realignment for Enhanced Services (CARES) activities: *Provided,* That funds in this account shall be available for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

[GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

[For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131–8137 of title 38, United States Code, $25,000,000, to remain available until expended.

[GRANTS FOR THE CONSTRUCTION OF STATE VETERANS CEMETERIES

[For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by section 2408 of title 38, United States Code, $32,000,000, to remain available until expended.

[ADMINISTRATIVE PROVISIONS

[(INCLUDING TRANSFER OF FUNDS)

[SEC. 201. Any appropriation for fiscal year 2006 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' may be transferred to any other of the mentioned appropriations.

[SEC. 202. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code, hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901–5902 of such title.

[SEC. 203. No appropriations in this title (except the appropriations for ''Construction, major projects'', and ''Construction, minor projects'') shall be available for the purchase of any site for or toward the construction of any new hospital or home.

[SEC. 204. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment under sections 7901–7904 of title 5, United States Code or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of cost is made to the ''Medical services'' account at such rates as may be fixed by the Secretary of Veterans Affairs.

[SEC. 205. Appropriations available in this title for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2005.

[SEC. 206. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable from ''Compensation and pensions''.

[SEC. 207. Notwithstanding any other provision of law, during fiscal year 2006, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the ''General operating expenses'' account for the cost of administration of the insurance programs financed through those accounts: *Provided,* That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2006 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further,* That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further,* That the Secretary shall determine the cost of administration for fiscal year 2006 which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

[SEC. 208. Notwithstanding any other provision of law, the Department of Veterans Affairs shall continue the Franchise Fund pilot program authorized to be established by section 403 of Public Law 103–356 until October 1, 2006: *Provided,* That the Franchise Fund, established by title I of Public Law 104–204 to finance the operations of the Franchise Fund pilot program, shall continue until October 1, 2006.

[SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

[SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication for all services provided at rates which will recover actual costs but not exceed $29,758,000 for the Office of Resolution Management and $3,059,000 for the Office of Employment and Discrimination Complaint Adjudication: *Provided,* That payments may be made in advance for services to be furnished based on estimated costs: *Provided further,* That amounts received shall be credited to ''General operating expenses'' for use by the office that provided the service.

[SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental is more than $300,000 unless the Secretary submits a report which the Committees on Appropriations of the Congress approve within 30 days following the date on which the report is received.

[SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided,* That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further,* That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

[SEC. 213. None of the funds made available to the Department of Veterans Affairs in this Act, or any other Act, may be used to implement sections 2 and 5 of Public Law 107–287 and section 303 of Public Law 108–422.

[SEC. 214. Notwithstanding any other provision of law, at the discretion of the Secretary of Veterans Affairs, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the ''Construction, major projects'' and ''Construction, minor projects'' accounts and be used for construction (including site acquisition and disposition), alterations and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in ''Construction, major projects'' and ''Construction, minor projects''.

[SEC. 215. Amounts made available under ''Medical services'' are available—

[(1) for furnishing recreational facilities, supplies, and equipment; and

[(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

[SEC. 216. That such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to ''Medical services'', to remain available until expended for the purposes of this account.

[SEC. 217. Amounts made available for fiscal year 2006 under the ''Medical services'', ''Medical administration'', and ''Medical facilities'' accounts may be transferred between the accounts to the extent necessary to implement the restructuring of the Veterans Health Administration accounts after notice of the amount and purpose of the transfer is provided to the Committees on Appropriations of the Senate and House of Representatives and a period of 30 days has elapsed: *Provided,* That the limitation on transfers is 20 percent in fiscal year 2006.

[SEC. 218. Any appropriation for fiscal year 2006 for the Veterans Benefits Administration made available under the heading ''General operating expenses'' may be transferred to the ''Veterans Housing Benefit Program Fund Program Account'' for the purpose of providing funds for the nationwide property management contract if the administrative costs of such contract exceed $8,800,000 in the budget year.

[SEC. 219. Notwithstanding any other provision of law, the Secretary of Veterans Affairs (Secretary) shall allow veterans eligible under existing VA Medical Care requirements and who reside in Alaska to obtain medical care services from medical facilities supported by the Indian Health Services or tribal organizations. The Secretary shall: (1) limit the application of this provision to rural Alaskan veterans in areas where an existing VA facility or VA-contracted service is unavailable; (2) require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary; (3) require this provision to be consistent with CARES; and (4) result in no additional cost to the Department of Veterans Affairs or the Indian Health Service.

[SEC. 220. That such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the ''Construction, major projects'' and ''Construction, minor projects'' accounts, to remain available until expended for the purposes of these accounts.

[SEC. 221. None of the funds available to the Department of Veterans Affairs in this Act, or any other Act, may be used by the Department of Veterans Affairs to implement a national standardized contract for diabetes monitoring systems.

[TITLE III

[RELATED AGENCIES

[AMERICAN BATTLE MONUMENTS COMMISSION

[SALARIES AND EXPENSES

[For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one for replacement only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $35,750,000, to remain available until expended.

[FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

[For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, $15,250,000, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

[UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

[SALARIES AND EXPENSES

[For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251–7298 of title 38, United States Code, $18,295,000, of which $1,260,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

[DEPARTMENT OF DEFENSE—CIVIL

[CEMETERIAL EXPENSES, ARMY

[SALARIES AND EXPENSES

[For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed $1,000 for official reception and representation expenses, $29,550,000, to remain available until expended. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the Lease of Department of Defense Real Property for Defense Agencies account.

[ARMED FORCES RETIREMENT HOME

[For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington and the Armed Forces Retirement Home—Gulfport, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $58,281,000, of which $1,248,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington and the Armed Forces Retirement Home—Gulfport.

[TITLE IV

[GENERAL PROVISIONS

[SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

[SEC. 402. None of the funds provided in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the rate paid for level IV of the Executive Schedule, unless specifically authorized by law.

[SEC. 403. Such sums as may be necessary for fiscal year 2006 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

[SEC. 404. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

[SEC. 405. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

[SEC. 406. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of ''E-Commerce'' technologies and procedures in the conduct of their business practices and public service activities.

[SEC. 407. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

[SEC. 408. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

[SEC. 409. None of the funds made available by this Act may be used to close or realign any military installation approved for closure or realignment in 2005 before the Secretary of Defense makes the information available upon which the Secretary's closure and realignment recommendations were based, as required by section 2903(c)(4) of the Defense Base Closure and Realignment Act of 1990 (title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

[This Act may be cited as the ''Military Quality of Life and Veterans Affairs Appropriations Act, 2006''.]

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, namely:

TITLE I—MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $1,640,641,000, to remain available until September 30, 2010: Provided, That of this amount, not to exceed $191,393,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

(INCLUDING RESCISSION OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $1,045,882,000, to remain available until September 30, 2010: Provided, That of this amount, not to exceed $32,524,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the funds appropriated for ''Military Construction, Navy'' under Public Law 108–324, $92,354,000 are hereby rescinded.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,209,128,000, to remain available until September 30, 2010: Provided, That of this amount, not to exceed $103,347,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $1,072,165,000, to remain available until September 30, 2010: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed $133,120,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United

States Code, and Military Construction Authorization Acts, $467,146,000, to remain available until September 30, 2010.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $279,156,000, to remain available until September 30, 2010.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $136,077,000, to remain available until September 30, 2010.

MILITARY CONSTRUCTION, NAVAL RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $46,676,000, to remain available until September 30, 2010.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $89,260,000, to remain available until September 30, 2010.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $206,858,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $549,636,000, to remain available until September 30, 2010.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $812,993,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $218,942,000, to remain available until September 30, 2010.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $593,660,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $1,142,622,000, to remain available until September 30, 2010.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $766,939,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $46,391,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $2,500,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. section 2687 note), $377,827,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. section 2687 note), $1,504,466,000, to remain available until expended: Provided, That these funds may not be obligated or expended until the Secretary of Defense submits to the congressional defense committees and receives approval of a report describing the specific programs, projects, and activities for which such funds are to be obligated.

GENERAL PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual military construction appropriations Acts.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds made available in this title may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year.

(TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such

project were made available if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

SEC. 118. The Secretary of Defense shall provide the Committees on Appropriations of both Houses of Congress with an annual report by February 15, containing details of the specific actions proposed to be taken by the Department of Defense during the current fiscal year to encourage other member nations of the North Atlantic Treaty Organization, Japan, Korea, and United States allies bordering the Arabian Sea to assume a greater share of the common defense burden of such nations and the United States.

(TRANSFER OF FUNDS)

SEC. 119. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. section 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(TRANSFER OF FUNDS)

SEC. 120. Subject to 30 days prior notification to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in ''Military Construction'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169, title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

SEC. 121. None of the funds made available in this title may be obligated for Partnership for Peace Programs in the New Independent States of the former Soviet Union.

SEC. 122. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the Committees on Appropriations of both Houses of Congress the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(TRANSFER OF FUNDS)

SEC. 123. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. section 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 124. Notwithstanding this or any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 125. None of the funds made available in this title may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in this Act, or any other appropriations Act.

SEC. 126. None of the funds made available in this title under the heading ''North Atlantic Treaty Organization Security Investment Program'', and no funds appropriated for any fiscal year before fiscal year 2006 for that program that remain available for obligation, may be obligated or expended for the conduct of studies of missile defense.

SEC. 127. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

SEC. 128. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. section 2687 note), unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project, and the Secretary of Defense may not transfer funds made available for such a military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 129. Unless stated otherwise, all reports and notifications required by this title shall be submitted to the Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

TITLE II—DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of article IV of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 540 et seq.) and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), $33,412,879,000, to remain available until expended: Provided, That not to exceed $23,491,000 of the amount appropriated under this heading shall be reimbursed to ''General operating expenses'' and ''Medical administration'' for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the ''Compensation and pensions'' appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical care collections fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), $3,214,246,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5), and (11) of that section, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by title 38, United States Code, chapter 19; 70 Stat. 887; 72 Stat. 487, $45,907,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by title 38, United States Code, chapter 37: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That during fiscal year 2006, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

For administrative expenses to carry out the direct and guaranteed loan programs, $153,575,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $53,000, as authorized by title 38, United States Code, chapter 31: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $4,242,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $305,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by title 38, United States Code, chapter 37, subchapter V, $580,000, which may be transferred to and merged with the appropriation for ''General operating expenses'': Provided, That no new loans in excess of $30,000,000 may be made in fiscal year 2006.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

For the administrative expenses to carry out the guaranteed transitional housing loan program authorized by title 38, United States Code, chapter 37, subchapter VI, not to exceed $750,000 of the amounts appropriated by this Act for ''General operating expenses'' and ''Medical administration'' may be expended.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in paragraphs (1) through (8) of section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department of Veterans Affairs and including medical supplies and equipment and salaries and expenses of healthcare employees hired under title 38, United States Code, and aid to State homes as authorized by section 1741 of title 38, United States Code; $23,308,011,000, plus reimbursements, of which $1,977,000,000 are designated as an emergency requirement pursuant to section 402 of House Concurrent Resolution 95 (109th Congress), the fiscal year 2006 budget resolution: Provided further, That of the emergency funds provided under this heading, the Department of Veterans Affairs shall submit for approval by the Committees on Appropriations of both Houses of Congress, a financial plan outlining how the emergency funds will be obligated: Provided further, That the Department of Veterans Affairs shall include these emergency funds in their base request for the fiscal year 2007 budget submission: Provided further, That of the funds made available under this heading, not to exceed $1,500,000,000 shall be available until September 30, 2007: Provided further, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for treatment for veterans who are service-connected disabled, lower income, or have special needs: Provided further, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: Provided further, That for the Department of Defense/Veterans Affairs Health Care Sharing Incentive Fund, as authorized by section 721 of Public Law 107–314, a minimum of $15,000,000, to remain available until expended, for any purpose authorized by title 38, United States Code, section 8111.

MEDICAL ADMINISTRATION

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; uniforms or allowances therefore, as authorized by sections 5901–5902 of title 5, United States Code; and administrative and legal expenses of the Department of Veterans Affairs for collecting and recovering amounts owed the department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); $2,858,442,000, plus reimbursements, of which $250,000,000 shall be available until September 30, 2007.

INFORMATION TECHNOLOGY

For necessary expenses, $1,456,821,000 shall be available for the Department of Veterans Affairs Information Technology program: Provided, That within 90 days of enactment of this Act, the Secretary of Veterans Affairs shall establish an office for Information Technology (IT) with the authority and responsibility for all IT projects: Provided further, That this office shall report directly to the Deputy Secretary of Veterans Affairs: Provided further, That this new organizational structure shall be subject to approval of the Committees on Appropriations in both Houses of Congress: Provided further, That within this amount, no more than $100,000,000 from all sources shall be available for the HealtheVet project for fiscal year 2006: Provided further, That none of the funds made available for the HealtheVet project may be obligated until such time that the Department of Veterans Affairs creates a single position with the responsibility for and the authority to manage the entire project, including budgetary authority: Provided further, That none of the funds made available for the HealtheVet project may be obligated until the Committees on Appropriations in both Houses of Congress approve a financial expenditure plan for the entire project.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities and other necessary facilities for the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department of Veterans Affairs; for oversight, engineering and architectural activities not charged to project costs; for repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Department of Veterans Affairs, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry and food services, $3,297,669,000, plus reimbursements, of which $250,000,000 shall be available until September 30, 2007.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code to remain available until September 30, 2007, $412,000,000, plus reimbursements, of which, not less than $15,000,000 shall be used for Gulf War Illness research.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of department-wide capital planning, management and policy activities, uniforms or allowances therefore; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, $1,418,827,000: Provided, That expenses for services and assistance authorized under title 38, United States Code, sections 3104(a)(1), (2), (5), and (11) that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That the Veterans Benefits Administration shall be funded at not less than $1,093,937,500: Provided further, That of the funds made available under this heading, not to exceed $71,000,000 shall be available for obligation until September 30, 2007.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefore; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; and hire of passenger motor vehicles, $156,447,000: Provided, That of the funds made available under this heading, not to exceed $7,800,000 shall be available until September 30, 2007.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $70,174,000, to remain available until September 30, 2007.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in title 38, United States Code, section 8104(a)(3)(A) or where funds for a project were made available in a previous major project appropriation, $607,100,000, to remain available until expended, of which $539,800,000 shall be for Capital Asset Realignment for Enhanced Services (CARES) activities; and of which $2,500,000 shall be to make reimbursements as provided in title 41, United States Code, section 612 for claims paid for contract disputes: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, such as portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund and CARES funds, including needs assessments which may or may not lead to capital investments, none of the funds appropriated under this heading shall be used for any project which

has not been approved by the Congress in the budgetary process: Provided further, That funds provided in this appropriation for fiscal year 2006, for each approved project (except those for CARES activities referenced above) shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2006; and (2) by the awarding of a construction contract by September 30, 2007: Provided further, That the Secretary of Veterans Affairs shall promptly report in writing to the Committees on Appropriations of both Houses of Congress any approved major construction project in which obligations are not incurred within the time limitations established above: Provided further, That none of the funds in this or any other Act may be used to modify or alter the mission, services or infrastructure of the 18 facilities on the Capital Asset Realignment for Enhanced Services (CARES) list requiring further study as specified by the Secretary of Veterans Affairs.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in title 38, United States Code, section 8104(a)(3)(A), $208,937,000, to remain available until expended, along with unobligated balances of previous ''Construction, minor projects'' appropriations, of which $160,000,000 shall be for Capital Asset Realignment for Enhanced Services (CARES) activities: Provided, That from amounts appropriated under this heading, additional amounts may be used for CARES activities upon notification of and approval by the Committees on Appropriations of both Houses of Congress: Provided further, That funds in this account shall be available for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department of Veterans Affairs which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities; and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes; and for furnishing care to veterans as authorized by title 38, United States Code, sections 8131–8137, $104,322,000, to remain available until expended.

GRANTS FOR THE CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by title 38, United States Code, section 2408, $32,000,000, to remain available until expended.

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for the Veterans Benefits Administration for fiscal year 2006 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' may be transferred as necessary to any other of the mentioned appropriations: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Veterans Health Administration for fiscal year 2006 under the ''Medical services'', ''Medical administration'', ''Information technology'', and ''Medical facilities'' accounts may be transferred between the mentioned accounts: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: Provided further, That no transfer may be made out of the ''Medical and Prosthetic Research'' account.

SEC. 203. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations in both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration. This report shall contain, at a minimum, both planned and actual expenditure rates, unobligated balances, and any potential financial shortfalls.

SEC. 204. No project for which funds have been appropriated in the ''Construction, major projects'' account may be canceled or altered in scope by more than 10 percent in cost without submitting a request to the Committees on Appropriations of both Houses of Congress and an approval is issued, or absent a response, a period of 30 days has elapsed.

SEC. 205. No appropriations in this Act for the Department of Veterans Affairs shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment under 5 U.S.C., sections 7901–7904 or 42 U.S.C., sections 5141–5204), unless reimbursement of cost is made to the ''Medical services'' account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available to the Department of Veterans Affairs for fiscal year 2006 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2005.

SEC. 207. Appropriations accounts available to the Department of Veterans Affairs for fiscal year 2006 shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from title X of the Competitive Equality Banking Act, Public Law 100–86, except that if such obligations are from trust fund accounts they shall be payable from ''Compensation and pensions''.

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2006, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the ''General operating expenses'' account for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2006 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary of Veterans Affairs shall determine the cost of administration for fiscal year 2006 which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 209. Notwithstanding any other provision of law and hereafter, the Department of Veterans Affairs shall continue the Franchise Fund established by title I of Public Law 104–204.

SEC. 210. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

SEC. 211. Funds available in any Department of Veterans Affairs appropriation for fiscal year 2006 or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication for all services provided at rates which will recover actual costs but not exceed $29,758,000 for the Office of Resolution Management and $3,059,000 for the Office of Employment and Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to ''General operating expenses'' for use by the office that provided the service.

SEC. 212. No appropriations in this Act for the Department of Veterans Affairs shall be available to enter into any new lease of real property if the estimated annual rental is more than $300,000 unless the Secretary of Veterans Affairs submits a report which the Committees on Appropriations in both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 213. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

SEC. 214. Amounts made available under the ''Medical services'' account are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Any appropriation for fiscal year 2006 for the Veterans Benefits Administration made available under the heading ''General operating expenses'' may be transferred to the ''Veterans Housing Benefit Program Fund Program Account'' for the purpose of providing funds for the nationwide property management contract if the administrative costs of such contract exceed $8,800,000 in the fiscal year.

SEC. 216. Notwithstanding any other provision of law, the Secretary of Veterans Affairs shall allow veterans eligible under existing Department of Veterans Affairs Medical Care requirements and who reside in Alaska to obtain medical care services from medical facilities supported by the Indian Health Services or tribal organizations. The Secretary shall: (1) limit the application of this provision to rural Alaskan

veterans in areas where an existing Department of Veterans Affairs facility or Veterans Affairs-contracted service is unavailable; (2) require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary; (3) require this provision to be consistent with Capital Asset Realignment for Enhanced Services Activities; and (4) result in no additional cost to the Department of Veterans Affairs or the Indian Health Service.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to title 38, United States Code, section 8118 may be transferred to the ''Construction, major projects'' and ''Construction, minor projects'' accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. Notwithstanding any other provision of law, at the discretion of the Secretary of Veterans Affairs, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the ''Construction, major projects'' and ''Construction, minor projects'' accounts and be used for construction (including site acquisition and disposition), alterations and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in ''Construction, major projects'' and ''Construction, minor projects''.

SEC. 219. None of the funds made available in this Act may be used to implement any policy prohibiting the Directors of the Veterans Integrated Service Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. That such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to the ''Medical services'' account, to remain available until expended for the purposes of this account.

SEC. 221. Appropriations available to the Department of Veterans Affairs for fiscal year 2006 for salaries and expenses shall be available for services authorized by title 5, United States Code, section 3109; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefor, as authorized by title 5, United States Code, sections 5901–5902.

TITLE III—RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one for replacement only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $36,250,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS

For necessary expenses, not otherwise provided for, of the American Battle Monumnets Commission, $15,250,000, to remain available until expended, for purposes authorized by title 36, United States Code, section 2109.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by title 38, United States Code, sections 7251–7298, $18,795,000, of which $1,260,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed $1,000 for official reception and representation expenses, $28,550,000, to remain available until expended. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the lease of Department of Defense Real Property for Defense Agencies account.

ARMED FORCES RETIREMENT HOME

ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $58,281,000, of which $1,248,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia and the Armed Forces Retirement Home—Gulfport, Mississippi.

This Act may be cited as the ''Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2006''.

Amend the title so as to read: ''An Act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.''.

Mrs. HUTCHISON. Mr. President, it is my pleasure today to bring the fiscal year 2006 Military Construction, Veterans Affairs and related agencies bill to the Senate for consideration.

First, I would like to say that as a result of Chairman COCHRAN and Senator BYRD's leadership, we received an increase in our allocation from the very beginning of this process of over $1.2 billion above the President's request to assist the Department of Veterans Affairs. It was only through this increase that Senator FEINSTEIN and I were able to take care of our Nation's veterans.

This bill stays within our 302(b) allocation. It provides $12,116,611,000 for military construction and $70,710,881,000 for the Department of Veterans Affairs and $157,126,000 for related agencies.

This bill bridges two significant funding gaps in fiscal year 2006 for the Department of Veterans Affairs. This is a total of $3.2 billion.

First, the President's budget request included two legislative proposals for the VA's health system that would have increased the copayments for prescription drugs and instituted new enrollment fees, both of which were to be paid for by veterans. Revenue estimates for these proposals were approximately $1.2 billion. The administration reduced the VA's budget request by this amount. This bill does not include either of those two legislative proposals, and instead the subcommittee used all of its increased allocation to cover the $1.2 billion difference for VA health care.

The second gap in the VA's 2006 budget was a shortfall in VA's health care budget identified by the Secretary of Veterans Affairs this summer. The bill contains $1.977 billion requested by the administration in a budget amendment. While Senator FEINSTEIN and I have included the full amount requested, the bill designates this funding as an emergency appropriation.

I would like to especially thank the subcommittee's ranking member, Senator FEINSTEIN, for her efforts and cooperation over the summer regarding that particular critical issue. In addition, I thank Senator LARRY CRAIG, and Senator PATTY MURRAY, as well as Senator AKAKA for their help in solving that problem that was looming as an emergency. And we all came to an agreement on a bipartisan basis that is certainly worthy of our colleagues' support. We had part of it as an emergency, and we will finish what we need in the 2006 budget.

The bill recommends $23.3 billion for the VA's medical services account. This funding level is $1.3 billion above the President's request. Again, this was only possible with the extra allocation provided by the full committee chairman and ranking member.

This bill recommends $412 million for medical and prosthetic research. The budget request for this account was $9 million below the fiscal year 2005 level. The funding level in the bill increases this account above the fiscal year 2005 level by $19 million.

We have specifically included funds directed solely to research for gulf war illness syndrome. This is an area that I feel very strongly committed to because so many of our veterans came back from the first gulf war—one in seven veterans who returned from that war—with symptoms they had not ever had in their lives. I believe we were slow to recognize that, but we are now putting greater emphasis on that—not only to treat those veterans but also to see what the cause is and prevent future members of our armed services from being susceptible to that kind of chemical warfare. This bill provides full funding as requested for the VA's medical facilities account at $3.3 billion, as well as new construction and renovation of existing facilities at $607 million and $209 million, respectively.

The bill creates an account for the VA information technology. This is a very important effort that will help achieve efficiencies in delivering care to our veterans. We do not have the technology we need in our veterans system to do what needs to be done on an efficient basis. This will reorganize the entire technology portfolio and give Congress more oversight, as well.

For our Nation's veterans compensation, pensions, and other benefit programs, we fully funded the administration's request of $36.8 billion. The bill

also provides sorely needed funds for military construction with the impending return of troops. As a result of the current overseas rebasing effort, BRAC, Army modularity, and the global war on terror, our service men and women are in a time of great transformation. It is important they have facilities in place to enable the transformation.

The bill, including the first phase of funding for the BRAC 2005 round, should it be approved by Congress, adds $1.5 billion. We have also included a provision that facilitates congressional oversight by requiring the Secretary of Defense to provide a spending plan before obligating any funds from this account.

The bill also continues funding for many important quality-of-life initiatives, including 11 family housing privatization projects, and it increases Guard and Reserve funding more than $295 million over the President's request.

For the related agencies under our jurisdiction, we include $51.5 million for the American Battle Monument Commission, which is $1 million above its request, and $28.5 million for Arlington National Cemetery, which is $500,000 above their request.

Our subcommittee has worked hard to bring a fair and balanced bill. It warrants the support of our colleagues. We could not have done this without the total cooperation of Senator FEINSTEIN and her staff. We have always worked together on a bipartisan basis. We always will on this subcommittee.

I yield the floor to my ranking member, Senator FEINSTEIN.

The PRESIDING OFFICER. Under the previous order, the committee-reported substitute is agreed to as original text for the purpose of amendment, with no points of order waived.

(The committee amendment in the nature of a substitute was agreed to.)

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I am very pleased to join my chairman, Senator HUTCHISON, in recommending the 2006 Military Construction, Veterans Affairs, and related agencies appropriations bill to the Senate. I thank Senators COCHRAN and BYRD for their leadership and assistance in guiding this bill through the committee and to the floor.

I very much appreciate the support of our leaders in allowing us to take up this bill at this time before we have completed action on the Defense authorization or appropriations bills. I recognize this is not the normal order of business. With the clock running and a large amount of unfinished business facing the Senate, it is imperative we press on with these bills as quickly as possible.

With one disastrous hurricane behind us and another bearing down on Texas, we all recognize there is no time to dawdle. We face enormous challenges with these hurricanes. Both Senator HUTCHISON and I hope and pray it will not bring another measure of devastation on our coastal States. My heart goes out to my chairman, Senator HUTCHISON, to her people, our people, in the State of Texas. I hope we can move this bill quickly so she can return to Texas later today to help her constituents prepare for the onslaught of the storm.

I want the Senator to know all on this side wish you and your people Godspeed. I hope it does not hit as hard as it looks like it might.

Mrs. HUTCHISON. Mr. President, let me say thank you for those kind words. I appreciate them. I know the Senator from California has lived through some very tough earthquakes.

We appreciate the response Congress is giving to the many needs of the victims of Hurricane Katrina and possibly those who will be in a similar situation from Rita.

Thank you very much.

Mrs. FEINSTEIN. We have watched with great pride the heroic actions of our Nation's active and reserve military personnel as they have rushed to respond to devastation caused by Hurricane Katrina. We have watched these same troops courageously carry out their missions in Iraq and Afghanistan.

We ask so much of our military and we all recognize we can never adequately repay our debt of gratitude to them. That said, we as Senators have both the opportunity and the responsibility to ensure programs important to our military forces and our veterans are adequately funded.

As Senator HUTCHISON has said, the bill before the Senate today is a bipartisan effort to provide a portion of that funding for the infrastructure needs of our military and the health care and other needs of our veterans.

I want to emphasize the bipartisan nature of this bill and to especially commend the chairman, Senator HUTCHISON, for her skill and her determination—and she can be very determined—in addressing the budgetary complications posed by merging the massive and troubled budget of the VA into the military construction appropriations bill.

In that respect, when we had hearings, it was interesting to see that Senator CRAIG came, Senator AKAKA came, Senator MURRAY came, the former authorizers, as well as appropriators when the VA was in another budget.

I hope veterans all over the United States recognize how deeply this Senate does care that the VA budget is adequately funded. It was a struggle, but we got there and we got there together. That was thanks to the authorizers and the appropriators and the former appropriators, including my friend Senator MIKULSKI, for working closely with us.

This bill is notable in several regards. First, under the leadership of Chairman COCHRAN and Senator BYRD, we were able to provide $1.977 billion in emergency funding to address the projected shortfall in veterans health care. This was originally disputed, but the authorizers found that the percentage of increase in the planning model was wrong. Therefore, additional moneys were, in fact, needed. That was in addition to the $1.5 billion in the 2005 supplemental funding we were able to add to the 2006 Interior appropriations bill to make up the current shortfall in veterans health care funding. So it was a double effort because money was also added on the Interior bill as well as on our bill.

At a time of tight budget constraints and many competing needs, the Senate Committee on Appropriations demonstrated it stands united in support of our veterans. I very much hope the full Senate and the House will stand by our committee's recommendation.

The bill before the Senate today totals $82.98 billion, of which $44 billion is discretionary. For military construction, the bill equals the budget request of $12.116 billion, although we have rearranged some of the funding within that request.

For the VA, the total amount appropriated in this bill is $70.7 billion, including $34.1 billion in discretionary spending and $36.6 billion in mandatory spending. This is $3.2 billion above the President's original budget proposal.

Even before we learned of the terrible shortfalls in the VA budget, Chairman COCHRAN and Senator BYRD provided an additional $1.26 billion to the subcommittee to cover shortcomings in the President's budget request for the Department of Veterans Affairs. Senator HUTCHISON and I used that additional funding to restore proposed cuts to programs and to make up all the savings assumed in the budget submission for proposed enrollment fees and increased pharmaceutical copayments, as the chairman mentioned.

The Senate Committee on Appropriations unanimously rejected levying these fees on our veterans and provided funding to ensure that the VA could continue to provide service to all eligible veterans.

The bill also provides essential funding for military construction, military family housing, and base realignment and closure costs. Once again, Hurricane Katrina has demonstrated the vital mission of the Guard and Reserve forces to respond to disasters at home and the important backup role played by components of our Active-Duty Forces.

As any experienced military member will state, infrastructure is the key to readiness. Our troops can't train or deploy effectively without the infrastructure necessary to support their mission. This bill provides important funding for military infrastructure needs, including family housing. As the chairman mentioned in the privatization of a number of new projects, those needs will only increase as a result of the impact of Hurricane Katrina on a number of facilities and installations in Mississippi and Louisiana.

We must be prepared to meet those emerging requirements and others we may yet face, without slowing down the progress we are making toward addressing the backlog of military construction requirements nationwide. I suggest that a necessary place for some of this will be the next emergency supplemental rather than, hopefully, amendments to this bill.

Finally, this bill includes necessary funding to implement the 2005 base realignment and closure process and to continue the environmental cleanup from the previous BRAC rounds. This is very important to me. I thank the chairman for going along with it because the environmental cleanup needs are far beyond those envisioned or those budgeted.

Much of the remaining environmental cleanup requirements is in my home State of California. I am particularly mindful of the need to finish this job. Senator HUTCHISON has strongly supported me in this effort. I appreciate her concern that we fully fund environmental cleanup of military installations closed under the BRAC process.

Again, I thank Chairman HUTCHISON for her steadfast leadership on this bill, and Chairman COCHRAN and Senator BYRD for their unstinting support of our Nation's military members and veterans. I also thank, because we have a great staff, Tammy Cameron, Sean Knowles, and Dennis Balkam on the majority, and Christina Evans, B.G. Wright, and Chad Schulken of my staff for their professionalism and their excellent work.

This is a good bill. I encourage all of my colleagues on the Democratic side, in particular, to support it and to move expeditiously to pass it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I thank Senator FEINSTEIN. It is clear we worked very well to address the needs of veterans in our country and the military construction needs of all the services in our country. I, too, thank her staff and my staff, Tammy Cameron, Dennis Balkam, and Sean Knowles, for working together to make sure we do the very best job possible and that we work together.

I also add that I appreciate what Senator FEINSTEIN said about amendments to the bill. We are going to shortly propose a unanimous consent that gives a deadline for Members who may want to do an amendment, but I hope no one will try for amendments related to Katrina or Rita because we will have another supplemental for those purposes and we would like to keep this bill in our 302(b) allocation.

Speaking of Katrina and Rita, I commend the Department, especially, for the way they have handled the emergencies that have faced them. When Katrina was threatening the New Orleans and Mississippi areas, they moved the patients out of harm's way before they were threatened. Before anyone said they had to, they were calling the families of patients, explaining the options and telling the families where the patients were being moved. Records were moved to safe locations. Emergency stockpiles of prescription drugs were routed to the areas where the patients were going. It was truly a phenomenal success. Not one veteran who was in the care of the Veterans' Administration was in any way harmed because of this evacuation and this service. Every single veteran had medication dispensed on time. Special arrangements were made to deliver benefit payments to those who did not have an address or a bank where they were.

Victims who were not veterans were also helped. No one was denied medical treatment. VA doctors were there to help everyone, and they did. This is due to the professionalism of the Department and the detailed prior planning.

I can tell you the Department of Veterans Affairs is now doing the exact same thing in the areas that are thought to be in the path of Hurricane Rita. They are beginning to evacuate the veterans who might be in harm's way. They will continue to be ready to assure that all of our veterans on medications will have those medications. I commend Secretary Nicholson and all of the professionals at the Department of Veterans Affairs for stepping up to the plate and taking care of our veterans who are in these emergency situations on the gulf coast today.

There is no question that all of us—I happen to have been born in Galveston. I have lived through hurricanes, and I know how devastating it can be to an area to be struck by a hurricane. I was going to college when Hurricane Carla struck, which was the largest hurricane we had ever had since the 1900 storms in Galveston. It was a level 4.

Now we are looking at possibly a level 5. So I have a lot of friends and family who are in the area who are just waiting to see what is going to happen. And it takes something out of you, there is no question.

But our veterans are going to be taken care of. The people of America who are in trouble are going to be taken care of by our Federal, State, and local communities that are all working together to make sure that when Americans are in need, Americans will be there to do our part to ease this pain.

So thank you, Mr. President. I thank my distinguished ranking member, Senator FEINSTEIN, for her concern. I commend our Secretary of Veterans Affairs for working with us through many of the travails we have had to assure that our veterans get the care they need and that our Active-Duty military also have the military construction for their quality of life.

The PRESIDING OFFICER (Mr. CHAMBLISS). The Senator from California.

Mrs. FEINSTEIN. If I may, Mr. President, I very much concur with what my chairman has just said. In watching on television, one of the things that has come through to me is the enormous sensitivity of our military toward people's plights. What is coming back from people is: Oh, they are treating us so well. They really care.

I believe that is a real commendation for the American military, thrown into a situation for which they are not necessarily trained. After all, they are trained for war fighting. They have done amazingly. I think from the top, when General Honore went down—no nonsense, ''move that gun down''—there was no doubt who was in command. It was a true command presence and followed down through the ranks in an amazing way.

So I just want to say thank you very much to each man and woman who is down there helping people go through some of the worst days of their lives.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I thank Senator FEINSTEIN for bringing that up because there are so many stories.

I talked to the FEMA Director yesterday, and he has already gone to the Department of Defense to get a mobile hospital pre-positioned in the area where Rita might come so we would have a MASH unit ready to help people who might be injured. He has asked for helicopters, which he is going to get, for evacuation and rescue missions.

I do think the military has really stepped up to the plate in Alabama, Mississippi, and Louisiana. They are ready to go and will be going to help the people of Texas where we think the brunt of this storm will hit.

The other unsung heroes and heroines of this plight are the men and women of the Coast Guard. The person in charge from the Federal Government for the effort in Texas is going to be the admiral from the Coast Guard because they have done an incredible job. Admiral Allen over in Louisiana is doing a wonderful job. And now we will have other Coast Guard personnel helping with the operation in Texas.

So I have been working in the last 24 hours with our State and local officials and our Federal officials to assure that the resources are there. I am convinced everything that can be done is being done and that if you can be prepared, we are prepared. But we all know hurricanes are unpredictable in many ways, and we are in for probably a tough time. We are up to it. We will make sure whatever can be done to ease the pain of people who are in harm's way will be done.

I thank the Senator so much for her statement and the concern of all of my colleagues. Just as we have stated our concern to our colleagues from Louisiana and Mississippi and Alabama, people now realize we have another State to add to the emergency needs of our country. I have no doubt everyone will be there doing everything possible for my constituents in Texas.

Mr. President, we are going to shortly propose a unanimous consent request. I ask any of my colleagues who might have amendments to get down to the floor immediately because we know of no amendments other than a couple we have in the mix. Senator COBURN has one, and we have one from Senator FEINSTEIN for Senator CARPER and Senator BIDEN. Those are the only ones we have been informed would be here, and we are going to dispatch those.

So I will ask for a quorum call so we can come back shortly for a unanimous consent request. But if anyone is thinking of an amendment, I would ask my colleagues to address it immediately.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, we do have a couple of other amendments. Senator DEWINE has put an amendment in. But I am going to say that if we do not hear from anyone by 12:30, we are going to prepare to go to third reading and set a timetable for the vote. So I am just giving our colleagues fair warning that at 12:30, we will lock in the third reading and the vote on the Military Construction and Veterans Affairs and related agencies appropriations bill.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRAIG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRAIG. Mr. President, I appreciate the expeditious way our leader and the chairman of the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies has brought this important appropriations bill to the floor. It is, in my opinion, without question, that we ought to try to deal with all of our appropriations bills this year, complete them individually, complete the total process. We have seen the difficult and confusing process of omnibus bills over the last couple of years. Clearly, this Congress ought to demonstrate to the American taxpayer that we can conduct our budgeting and our appropriating process in a reasonable and responsible fashion to move ahead. The chairman of the subcommittee is urging us to come to the floor if we have amendments and address them in a timely fashion, to see if we can complete work on this appropriations bill today. I appreciate that.

As chairman of the Veterans' Affairs Committee, I have worked closely with the chairman and the ranking member of this subcommittee to assure that we have adequately funded the Veterans' Administration. As our colleagues know—and certainly observers have known—we have had difficulty in effective and responsible projections of costs. As we have seen a ramping up of services to America's veterans and as the quality of veterans health care improves, there has been a substantially greater number of veterans who have chosen to use the veterans health care system to provide for their needs. As a result, H.R. 2528 provides $70.71 billion to the Department of Veterans Affairs, the highest amount of appropriated dollars in the history of the Department. Of this funding, $34.09 billion is discretionary funding, meaning spent across the spectrum of veterans services, which is $1.26 billion above the administration's request, and $23.32 billion is for medical services which is $1.3 billion above the administration's request. Not only did the administration come in at a higher number, but as the needs changed, Congress came in at an even higher number. That speaks clearly to our commitment to America's veterans, as we have always responded to their needs in what we believe to be a direct, straightforward way.

The overall budget of Veterans Affairs has risen $22.5 billion or 47.5 percent, with average increases for all veterans at nearly 7.8 percent every year. I am talking about since the Bush administration took office. These increases more than double the growth of the entire Federal budget, which has increased by 4.14 percent. I am talking about the Department of Veterans Affairs.

Anyone who says we are not meeting the obligation to America's veterans with unprecedented increases and increases that are substantially more than in other areas of our Federal budget simply hasn't looked at the numbers and the level of health care being provided. Health care funding alone has grown by $10 billion, or 52 percent, during the Bush administration. With that attention and response from the Congress and this President, VA has become a modern health care system, described in recent national publications as the best health care anywhere. Of course, that is exactly why we now see more veterans seeking veterans health care; it is not the health care of last resort. It is the health care of first choice. It is a modern, quality delivery system all of us can be proud of, not only because we are providing it but because it serves America's heroes in a way that we feel an appropriate obligation to do so.

I thank Chairman HUTCHISON for the work she has done, and the ranking member, Senator FEINSTEIN, for their cooperative effort with us as we have worked our way through this difficult funding process for veterans. The job is well done. The services and the resources provided are responsible and adequate for the serving of America's veterans.

I am privileged to serve on this subcommittee, to work with the chairman and ranking member to accomplish this task. I also have the unique responsibility of serving as chairman of the authorizing Committee on Veterans' Affairs. I am pleased and proud of the work we are doing, not only for America's veterans today but for those who are soon to become America's veterans. The brave men and women serving us in the defense of our freedom in the war on terrorism in Iraq and Afghanistan are coming back. Many of them will be requiring significant services as they have been injured and found themselves in harm's way. Of course, that is our responsibility. We will not back from it in any way. America's veterans or America's serving men and women soon to be veterans need to know that this Congress has and will continue to address their needs in a responsible fashion, to serve them as we appropriately must, sometimes having to draw priorities but recognizing that those needing the care are going to get the care, the kind that is appropriate and responsible for America's heroes, America's veterans, and men and women currently serving in the armed services.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MARTINEZ). Without objection, it is so ordered.

Mr. CHAMBLISS. Mr. President, I ask I be allowed to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HURRICANE KATRINA

Mr. CHAMBLISS. Mr. President, I rise to express my heartfelt sympathy for the hundreds of thousands of Americans who have been impacted and displaced by Hurricane Katrina. Many people will feel the effects of a natural disaster of this magnitude for years. My thoughts and prayers are certainly with them all.

There have been an awful lot of negative publicity and stories surrounding this natural disaster. But there also have been a number of positive activities that have taken place leading up to Katrina's arrival, during the storm itself, as well as in the aftermath. I would like to share some of those stories.

Since Katrina made landfall on August 29, 2005, public and private agencies have worked closely together to survey the damage to Mississippi, Louisiana, and Alabama. The hurricane affected the Port of New Orleans and the

ports along the gulf coast and grain facilities along the Mississippi River. Reports estimate that the total damage to the Port of New Orleans is approximately $1.6 billion, including damage to two bridges and a lock.

The Port of New Orleans is an economic asset to the City of New Orleans, contributing approximately $88 million to the city's economy and $1.6 billion to the statewide economy of Louisiana in the year 2001 alone. According to the New Orleans Customs District, for the period October 2004 through June 2005, an 8-month period, the dollar value of exports for bulk agricultural products is almost $1 billion going through New Orleans. This is almost half of the bulk product, by value, exported from the United States every year. In 2004, bulk amount was $25.6 billion.

As many of my colleagues are aware, transportation on the Mississippi River is very important to our Nation's farmers and is critical to keeping U.S. agriculture positioned and able to serve U.S. markets for grain, oilseeds, and grain products shipped from New Orleans. The Mississippi gulf typically is responsible for about 71 percent of corn, 65 percent of soybeans, and 22 percent of wheat exports. This system is one of the most important elements in keeping U.S. grains and oilseeds, particularly corn and soybeans, as well as several other U.S. agriculture products, competitive in the world markets. Of the 50.2 million metric tons exported from U.S. ports thus far in 2005, 29.7 million metric tons or 59 percent was exported from the Mississippi gulf.

Export elevators in the Mississippi gulf region range in storage capacities from 2 million to more than 7 million bushels each. These facilities have a rated vessel loading capacity generally ranging from 60,000 to 100,000 bushels per hour.

As chairman of the Committee on Agriculture, my staff has been in touch with all of the major U.S. grain exporters following Katrina's aftermath moving north. The grain export industry and the industry's supporting transportation infrastructure affected by this disaster committed early on to resume operations as soon as possible. Through continued perseverance, the National Grain and Feed Association, NGFA, and the North American Export Grain Association, NAEGA, which represents those business that handle 70 percent of the U.S. grain and oilseed crop, have prioritized the recovery operations of the grain export infrastructure in this region.

Due to the accomplishments of the private sector, as of today, the grain export elevators are operating at a storage capacity in excess of 84 percent in New Orleans. Moreover, the Federal agencies, especially the U.S. Army Corps of Engineers and the U.S. Coast Guard, have made this possible because of the cooperation between the private sector and the lessees of the port facilities, such as Cargill and ADM and other grain brokerage companies.

Grain exporters, allied industries, and multiple U.S., State and local government entities continue to work around the clock under very challenging conditions to restore operations on the Mississippi River and the affected region. While normal operating conditions at these facilities are not fully restored, many of the obstacles are being addressed successfully to have them operate at full capacity.

A common challenge for every company is making sure enough workers can reach their facilities and have a warm bed and a hot meal. Elevator workers, port workers, and USDA grain inspectors were displaced by the hurricane's extensive damage or complete destruction to their homes—and they also obeyed evacuation instructions. All of these people need housing and the appropriate infrastructure in order to be able to return to work.

As the companies secure adequate housing and living quarters for the employees and their families, the employees of the industry, the Port of New Orleans and other gulf coast ports can more quickly get back to work to ensure U.S. agriculture continues feeding the world.

This is at a point in time during the harvest of grains in the Midwest where we are at our peak, and it is such a critical factor, not just for the city of New Orleans but for all of our grain producers in the Midwest that put their grain on barges, ship them down the Mississippi River to the Port of New Orleans and other gulf coast facilities.

The private sector, the Department of Agriculture, the Army Corps of Engineers, and the Coast Guard are diligently working to restore the gulf coast ports to full capacity in a timely manner. Congress will continue to provide these agencies the resources and the private sector the ability they need to do so.

I am confident that the United States will continue to be a reliable supplier to the international community of grain. I commend the tireless efforts of the U.S. Government agencies, NAEGA, NGFA, and the companies involved in resuming operations of the Port of New Orleans, the ports along the gulf coast and grain facilities along the Mississippi River.

There continue to be many great stories of other individuals and companies contributing and sacrificing time, money, and even their safety to help the victims of Katrina. In my home State of Georgia, many folks are volunteering in evacuee shelters, contributing food, clothes, and money. Some are even housing evacuees. Companies and their employees are joining the effort as well.

The marquee company of my home State is Coca-Cola. Coca-Cola, its bottlers, and their employees are doing their part to assist the victims of Katrina. Coca-Cola had its incident management team in place prior to the storm making land to coordinate its response to Hurricane Katrina. With a number of facilities damaged or without electricity in the affected area, Coca-Cola and its bottlers immediately began producing water and an assortment of beverages from other plants for donation to FEMA and other relief agencies, even as they attempted to reach employees in the affected areas.

Running short of bottles and cans to deliver water and juice for children, Coca-Cola employees modified 2.5-gallon containers, which are normally used for syrup in restaurant fountain dispensers, and converted them to hold various beverages for shipment to emergency shelters at the Astrodome and other places in and around the affected area.

To date, Coca-Cola and its bottling partners have shipped more than 30 million containers of filtered water, juice, sport drinks, and other beverages to relief organizations, including the American Red Cross, Department of Defense, FEMA and Mississippi Emergency Management Agency and food service partners such as Aramark.

The Coca-Cola company and the Coca-Cola Bottlers Association committed $5 million to Hurricane Katrina relief. A major portion of the donations went to the American Red Cross and the Salvation Army, with $2 million being set aside to aid displaced Coca-Cola employees.

Because of Georgia's experience in disasters and because of the expertise in mobile medical centers, Ben Hinson, the owner of Mid Georgia Ambulance Company was asked by the State of Louisiana to coordinate all ambulance and paramedic services coming into the State.

Within 2 days of Hurricane Katrina making landfall, Ben was on the ground delivering medical services and coordinating response teams from all over the country. His company along with other Georgia ambulance services would eventually send 20 ambulances and 50 paramedic crews to help in the relief efforts.

Ben and his son, Shay, now manage over 600 paramedics and nearly 400 ambulances, a number that is growing every day as more States and localities continue to mobilize. Mid Georgia Ambulance is also working side by side with Navy medical teams in St. Barnard Parish providing triage and primary medical care to survivors.

Home Depot is another company which is passionate about helping its neighbors and communities during times of need. Home Depot responded with unwavering support to help Louisiana, Mississippi, Alabama and Florida residents recover from this catastrophe.

One of Home Depot's policies during such emergencies is to freeze prices on all hurricane commodities to assure that no price gouging can take place. Home Depot also established a 24–7 hurricane command center to support efforts to restore operations in the field. Home Depot relocated 950 associates to work in affected stores while

impacted associates focus on the needs of their families and homes. They raised credit limits on its consumer credit cards and extended special offers to customers in the affected areas. They dispatched Loss Prevention personnel and uniformed guards to ensure the safety of customers and associates in affected and surrounding stores and temporary support centers.

The Home Depot understands that its employees are the most important company asset and many were disaster victims themselves. To create a support network for short-term financial assistance to help ensure the safety of each associate and their families, Home Depot provided more than $1.2 million through 1,350 grants to workers impacted by Hurricane Katrina.

They also set up a toll-free disaster assistance line for affected associates. The hotline helps associates find temporary housing, provides transfers to other store locations and contacts mortgage and credit card companies to temporarily suspend payments, among other services.

The Home Depot has donated $1.5 million to support immediate relief and recovery efforts by relief organizations including $400,000 to the American Red Cross and Salvation Army, and $600,000 to support long-term rebuilding and volunteerism efforts.

The Home Depot Foundation donated $500,000 to community development organizations that rebuild low- to moderate-income housing in affected areas. With the help of its vendor partners, the Home Depot has provided and shipped nearly $1.25 million in in-kind product donations including generators, gloves, flashlights and batteries, floodlights, food, cleaning supplies and linens. This effort by Home Depot will continue until the cleanup process is completed.

Georgia's own Center for Disease Control has directed much of its resources toward providing both immediate help to the victims' day-to-day health needs, as well as the long-term difficulties of containing the spread of disease and infection.

CDC positioned personnel on the ground in Louisiana prior to the storm making land.

Dr. Julie Gerberding, CDC Director, has asked the CDC Foundation to activate its Emergency Preparedness and Response Fund, created after 9/11 to provide flexible and immediate resources for CDC to use in a public health emergency.

Dr. Gerberding has also activated the CDC state-of-the-art Bernie Marcus Emergency Operations Center to support the Department of Health and Human Services as a coordinating hub for the hurricane response.

Public health scientists, relief workers, and medical supplies as well as environmental and medical test samples have been on the flights to and from the affected areas.

As of today, September 22, the CDC has sent hundreds of thousands of doses of antibiotics and maintenance medications for chronic diseases such as diabetes, heart disease, high blood pressure, pain and anxiety, just to name a few. Also included are IVs, insulin syringes, and basic pharmaceuticals.

CDC has deployed 246 professionals to the field. Specialties include nursing, epidemiology, sanitation, occupational safety, disease surveillance, and risk communication.

CDC is helping to vaccinate thousands of children at evacuation centers' and CDC experts are helping to organize, implement, and assess the evacuation centers' vaccination program.

CDC has been focusing on food-borne, water-borne, and insect-borne infectious disease outbreaks as well as checking water quality, restoring critical laboratory functions and rebuilding public health and laboratory infrastructures.

Many evacuees in Louisiana, Mississippi, and Alabama lost their personal health records. These needs are being addressed through existing immunization systems.

In Louisiana alone, CDC estimated that 8,300 queries were made to the Louisiana Immunization Network for Kids statewide—LINKS—regarding vaccination histories for kids that were evacuated. CDC is using LINKS to determine health records of children and providing immunizations for those in need and for those with no proof of health records.

A story of human interest: Liz O'Mara surveys a shelter in Jackson, MS. A CDC public health advisor, she spent her second week of marriage on a cot in a conference room with 10 men ''who snored!'' But she says:

> It is an honorable experience to play a small part of a State and local response effort. We—Strategic National Stockpile—are not here as individuals, but as a team. We rely on each other's commitment to their specific responsibilities and expertise as a synchronized unit, or we simply would not be very successful assisting with State and local needs.

I am proud of the efforts that Georgians, as well as all Americans are doing to help those who are suffering from Hurricane Katrina. We owe them a great deal of gratitude.

Thank you, Mr. President.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. AKAKA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ISAKSON). Without objection, it is so ordered.

AMENDMENT NO. 1852

Mr. AKAKA. Mr. President, I call up my amendment No. 1852.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. AKAKA] proposes an amendment numbered 1852.

Mr. AKAKA. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide an additional $10,000,000 for the Readjustment Counseling Service, with a corresponding offset from the HealtheVet account)

On page 76, line 22, strike ''$23,308,011,000'' and insert ''$23,318,011,000''.

On page 77, line 1, insert ''$109,000,000 shall be available for the Readjustment Counseling Service: *Provided further*, That'' after ''this heading,''.

On page 78, line 22, strike ''$1,456,821,000'' and insert ''$1,446,821,000''.

On page 79, line 7, strike ''$100,000,000'' and insert ''$90,000,000''.

Mr. AKAKA. Mr. President, this amendment would plus-up the Readjustment Counseling Service's funding by $10 million. RCS is the arm of VA that operates the Vet Centers that many of us know so well. Vet Centers have traditionally provided needed counseling services to veterans of the Vietnam War in community-based settings for over two decades.

Now, in the midst of Operations Iraqi Freedom and Enduring Freedom, the mission of the Vet Centers has been expanded to include outreach and counseling for service members, including members of the Guard and Reserve, who are returning from these conflicts.

By providing the Vet Centers with an additional $10 million in funding, VA would be able to hire additional professional family therapists at Vet Centers nationwide to provide services to family members of veterans deeply affected by their service in combat. The readjustment period can be difficult for the entire family.

We have all heard the statistics emerging from the groups that have already come back from OIF and OEF. Families and marriages have suffered due to rough transitions, and many have resulted in divorce.

These additional funds would also augment Vet Centers in underserved rural communities and would expand the capacity for these centers to provide readjustment services to those veterans who may struggle with obtaining access because they live in a remote area.

Surviving family members of those servicemen who paid the ultimate price, will be able to find solace through the Vet Center's bereavement counseling program. Vet Centers would be able to hire more bereavement counselors to provide counseling for those who must endure the pain of losing a family member in combat.

Finally, I point out that in his testimony to the Committee on Veterans' Affairs this past June, VA Secretary Nicholson stated that only $8 million would be required for additional services that were already being implemented by the Vet Center program, such as providing additional outreach workers. We need to make sure that these services are secure by providing

the funds necessary to implement them. The requested amount would do that and go even a bit further to support this invaluable program.

Mr. President, I ask for support of this amendment, knowing how important it is today for our veterans, and look forward to its adoption.

I yield back the remainder of my time.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alaska.

GLOBAL CLIMATE CHANGE

Mr. STEVENS. Mr. President, in August, the voice of the Anchorage Times printed an article authored by my good friend Dr. Syun-Ichi Akasofu. Dr. Akasofu is the director of the International Arctic Research Center in Fairbanks. He is one of the world's leading experts on Arctic science and global climate change.

Given the interest some of our colleagues have recently shown on this subject, I ask unanimous consent that Dr. Akasofu's article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Voice of the Times, Aug. 23, 2005]

ALASKA GLACIERS RECEDING SINCE 1800

(By Dr. Syun-Ichi Akasofu)

Few can argue that the earth's temperature is not changing—especially in Alaska. However, before we create fundamental policy changes, let's keep everything in context.

Our work at the International Arctic Research Center and that of many other scientists has produced significant findings. One thing we do know is that there is no definitive scientific proof that all of the present global warming is attributable to humans, or caused by the greenhouse effect. Natural changes are also important factors to consider.

First, the Ice Age was only an average of 6° C cooler than today. There is permafrost in Alaska and Siberia, which is the product of the Ice Age. The fact that it still exists and is still thawing is partly due to the fact that the Ice Age has not concluded yet. The present warming must partly be due to the recovery from the Ice Age.

Alaska glaciers have been receding since 1800, before greenhouse gases increased significantly after the Little Ice Age. Portage Glacier has been receding from about 1890 or earlier (the earliest record).

Additionally, we cannot scientifically explain the complicated way the Arctic sea ice along the Alaska Arctic coast and other areas such as Siberia are receding. We do know that the resulting open sea allows for the development of intense cyclones that cause serious coastal erosion in Alaska and elsewhere. It cannot be concluded that this is a result of the greenhouse effect.

Two other factors to consider are the North Atlantic Oscillation and solar output. We know that the warm North Atlantic water that is flowing into the Arctic Ocean is an important factor in warming the Arctic Ocean. The intensity of this flow occurs in pulses, some of which are driven by cyclical changes known as the North Atlantic Oscillation.

In addition, the sun has been putting more energy out during the last 100 years, which is estimated to be equivalent to a 0.2° C increase (not the greenhouse effect!), one third of the 0.6° C, which has been determined to be the official estimate of global warming during the last 100 years.

Added to such long-term trends, there are multi-decadal and interannual fluctuations. Three years ago, Europe suffered from an intense heat wave. One can easily see that it was not due to the greenhouse effect, since uncommonly hot summers in Europe did not make the headlines either last year or this year.

Likewise, it has been said that the number of hurricanes is increasing, however, there is no clear indication of it. These are interannual fluctuations.

In addition to actual temperature changes, there are other issues to consider. One such case is that many recent disasters have been attributed to the greenhouse effect without scientific proof; this includes the great floods in Bangladesh and India in recent years.

These floods may partly be due to massive deforestation in these countries, to which some people must be held responsible. On the other hand, by saying it is due to the greenhouse effect, I am afraid that they are hiding behind the greenhouse catastrophic scenario. The danger from such confusion and hysteria may be even greater than from global warming itself.

In this respect, the reduction of CO_2 release must be based on a carefully assessed scientific ground, not the catastrophic scenario. The United States spends more than any other country on climate change research—$5 billion next year. We should address the impacts of climate change while allowing scientists to continue their work on the true causes of these changes. Let's base our policy decisions on sound science—not hysteria.

Mr. STEVENS. Mr. President, I trust Dr. Akasofu's research and opinions. He has published more than 550 articles and is the author or coauthor of 10 books. His work has shown that he is an expert in Arctic research. It has shown that while there is little doubt the Earth's temperature is changing, there is still much debate about what is causing this change.

In his article, Dr. Akasofu says that the:

> [One] thing we do know is that there is no definitive scientific proof that all of the present global warming is attributable to humans, or caused by the greenhouse effect.

Some of the changes we are seeing are the most recent stage in a historic evolution. In Alaska, our glaciers have been receding since 1800, long before the advent of the so-called greenhouse gases.

In the past 100 years, the Sun has been giving off additional energy, which is likely responsible for one-third of the .6-degree Celsius increase in global temperature. And there is now the so-called Atlantic and Pacific oscillation that may be dumping more heat, that is, warm ocean water, into the Arctic Ocean.

Changes in climate and weather patterns are not isolated events. They are part of a long-range historic trend or trends. One cannot arrive at sound conclusions about the causes by observing the changes which occur in their own lifetime. Reliable conclusions can only be reached by sound science and the type of research being conducted by Dr. Akasofu and his staff.

We must not substitute our own casual judgment for sound science. This will only lead to confusion. And Dr. Akasofu warned that:

> The danger from such confusion and hysteria may be even greater than from global warming itself.

The effects of global climate change are real. Regardless of the cause, changes are underway in the Arctic regions, including Alaska, and we must deal with these effects. But we must also allow the scientists to reach scientifically based conclusions on what is causing this phenomenon.

The basic problem we face is distinguishing between natural causes and human impact. The Commerce Committee's Subcommittee on Global Climate Change, chaired by Senator VITTER and cochaired by Senator LAUTENBERG, held a hearing on global climate change policy in July. During that hearing, I asked Dr. James Mahoney, Assistant Secretary of Commerce for Oceans and Atmosphere, about the situation and he told me:

> Sometimes there are . . . political arguments that want to go in one extreme or the other. The scientific argument is much more complicated in the middle.

Figuring out what is really happening in the Arctic will be very important to answering the overall question of global climate change, and I am dedicated to pursuing this. As far as the United States is concerned, the evidence of global climate change is more apparent in Alaska than anywhere else. We should prepare for its effects, but I want to seek sound science before we enact policies aimed at its causes.

We have created two subcommittees in the Commerce Committee that deal in some way with global climate change, and we will continue in our committee to address this issue. But I think it is very dangerous to make, as Dr. Mahoney called them, the ''political arguments.'' We must follow science on this issue, and I commend Dr. Akasofu for leading those efforts.

Mr. President, I thank the chair. I yield the floor.

I suggest the absence of a quorum.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, we have a series of amendments that have been cleared on both sides, and I ask unanimous consent that the pending amendments be temporarily set aside so that I could send these amendments

individually to the desk for their consideration.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT NO. 1858

Mrs. HUTCHISON. On behalf of Senator COBURN, I send an amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. COBURN, proposes an amendment numbered 1858.

Mrs. HUTCHISON. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require that any limitation, directive, or earmarking contained in either the House of Representatives or Senate report accompanying this bill be included in the conference report or joint statement accompanying the bill in order to be considered as having been approved by both Houses of Congress)

At the appropriate place, insert the following:

SEC. . Any limitation, directive, or earmarking contained in either the House of Representatives or Senate report accompanying H.R. 2528 shall also be included in the conference report or joint statement accompanying H.R. 2528 in order to be considered as having been approved by both Houses of Congress.

Mrs. HUTCHISON. I urge adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1858) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1859

Mrs. HUTCHISON. I send an amendment to the desk on behalf of Senator CARPER and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. CARPER, proposes an amendment numbered 1859.

Mrs. HUTCHISON. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that, of the amount made available by title I for military construction for the Air National Guard and available for planning and design, $1,440,000 shall be made available for planning and design for a replacement C–130 maintenance hangar at Air National Guard New Castle County Airport, Delaware)

On page 72, between lines 13 and 14, insert the following:

SEC. 130. Of the amount appropriated by this title under the heading ''MILITARY CONSTRUCTION, AIR NATIONAL GUARD'' and available for planning and design, $1,440,000 shall be available for planning and design for a replacement C–130 maintenance hangar at Air National Guard New Castle County Airport, Delaware.

Mrs. HUTCHISON. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1859) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1860

Mrs. HUTCHISON. I send an amendment to the desk on behalf of Senator BOXER and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mrs. BOXER, proposes an amendment numbered 1860.

Mrs. HUTCHISON. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require a report on housing assistance to low-income veterans)

On page 93, between lines 20 and 21, insert the following:

SEC. 222. REPORT ON HOUSING ASSISTANCE TO LOW-INCOME VETERANS.

(a) IN GENERAL.—The Comptroller General shall conduct a study on housing assistance to low-income veterans, including—

(1) an estimate of the number of low-income, very low-income, and extremely low-income veteran households;

(2) a description of the demographic and socioeconomic characteristics and health and disability status of such households;

(3) an estimate of the number of such households experiencing a high cost burden in, overcrowding in, or poor quality of housing, or experiencing homelessness;

(4) an assessment of such households, including their current barriers to safe, quality, and affordable housing and levels of homelessness among such households;

(5) the extent to which Federal housing assistance programs provide benefits, including supportive services, to all veteran households and in particular to low-income, very low-income, and extremely-low income veteran households;

(6) the number of units designated for or occupied by veterans and low-income, very low-income, and extremely low-income veterans in Federally subsidized or insured housing;

(7) a summary description of the manner in which veteran compensation, veteran dependency and indemnity compensation, and veteran pension are considered as income or adjusted income for purposes of determining—

(A) eligibility for Federal housing assistance programs; and

(B) the amount of rent paid by a veteran household for occupancy of a dwelling unit or housing assisted under Federal housing assistance programs;

(8) a summary description of the special considerations made for veterans under—

(A) public housing plans submitted under section 5A of the United States Housing Act of 1937 (42 U.S.C. 1437c-1); and

(B) comprehensive housing affordability strategies submitted under section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705);

(9) the extent to which public housing authorities have established preferences for veterans for public housing and housing choice vouchers;

(10) the number of homeless veterans provided assistance, cumulatively and currently, under the program of housing choice vouchers for homeless veterans under section 8(o)(19) of the United States Housing Act of 1937 (42. U.S.C. 1437f(o)(19)), and the current status of the program, including—

(A) the number of vouchers the Department of Housing and Urban Development currently allocates to the Department of Veterans Affairs;

(B) the monetary value of such vouchers; and

(C) the names and locations of VA medical centers receiving such vouchers; and

(11) a description of activities relating to veterans of the Department of Housing and Urban Development.

(b) ACQUISITION OF SUPPORTING INFORMATION.—In carrying out the study under this section, the Comptroller General shall seek to obtain views from the following persons:

(1) The Secretary of Housing and Urban Development.

(2) The Secretary of Veterans Affairs.

(3) Low-income, very low-income, and extremely low-income veterans.

(4) Representatives of State and local housing assistance agencies.

(5) Representatives of nonprofit low-income housing providers and homeless service providers, including homeless veteran service providers.

(6) National advocacy organizations concerned with veterans, homelessness, and low-income housing.

(c) TIMING OF REPORT.—Not later than 6 months after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the study conducted under this section.

Mrs. HUTCHISON. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1860) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1861

Mrs. HUTCHISON. I send an amendment to the desk on behalf of Senator ISAKSON and Senator CHAMBLISS and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. ISAKSON and Mr. CHAMBLISS, proposes an amendment numbered 1861.

Mrs. HUTCHISON. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that, of the amount appropriated by this title under the heading ''MILITARY CONSTRUCTION, ARMY'', $4,550,000 shall be made available for the construction of a military police complex at Fort Gordon, Georgia, and to provide an offset)

On page 72, between lines 13 and 14, insert the following:

SEC. 130. (a) Of the amount appropriated by this title under the heading ''MILITARY CONSTRUCTION, ARMY'', $4,550,000 shall be made available for the construction of a military police complex at Fort Gordon, Georgia.

(b) The amount appropriated by this title under the heading ''MILITARY CONSTRUCTION, ARMY'' and available for Fort Gillem, Georgia, is hereby decreased by $4,550,000.

Mrs. HUTCHISON. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1861) was agreed to.

AMENDMENT NO. 1862

Mrs. HUTCHISON. I send an amendment to the desk on behalf of Senator FEINSTEIN and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mrs. FEINSTEIN, proposes an amendment numbered 1862.

Mrs. HUTCHISON. I ask unanimous consent that the reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase by $25,000,000 the amount made available by title I for the Department of Defense Base Closure Account 1990, and to provide an offset)

On page 72, between lines 13 and 14, insert the following:

SEC. 130. (a) The amount appropriated by this title under the heading ''DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990'' is hereby increased by $25,000,000.

(b) The amount appropriated by this title under the heading ''DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005'' is hereby decreased by $25,000,000.

Mrs. HUTCHISON. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1862) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1863

Mrs. HUTCHISON. I send an amendment to the desk on behalf of Senator FEINGOLD and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. FEINGOLD, proposes an amendment numbered 1863.

Mrs. HUTCHISON. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the Secretary of Veterans Affairs to report to Congress on a plan to provide veterans benefits handbooks to all county veterans service officers)

On page 93, between lines 20 and 21, insert the following:

SEC. 222. (a) Not later than 60 days after the date of enactment of this Act, the Secretary of Veterans Affairs, after consultation with the National Association of County Veterans Service Officers, other veterans service organizations, and State Departments of Veterans Affairs shall submit a report to the committee on Appropriation of the Senate that describes a plan (including estimated costs) to provide an adequate supply of the 2006 edition of handbook entitled, Federal Benefits for Veterans and Dependents, and all subsequent editions, to all county veterans service officers in the United States.

Mrs. HUTCHISON. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1863) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

AMENDMENT NO. 1864

Mrs. HUTCHISON. I send an amendment to the desk on behalf of Senator DURBIN and ask for its consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Texas [Mr. HUTCHISON], for Mr. DURBIN, proposes an amendment numbered 1864.

Mrs. HUTCHISON. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To place conditions on the use of appropriated funds for reviewing or revoking approved disability claims for post-traumatic stress disorder and to prohibit the Secretary of Veterans Affairs from using Federal funds for certain investigations until after the submission of a detailed implementation plan to the Committee on Appropriations)

On page 93, between lines 20 and 21, insert the following:

SEC. 222. None of the funds made available in this Act or any other Act may be used—

(1) to revoke or reduce a veteran's disability compensation for post-traumatic stress disorder based on a finding that the Department of Veterans Affairs failed to collect justifying documentation unless such failure was the direct result of fraud by the applicant; or

(2) for the implementation of Recommendation 3 of VA Inspector General Report No. 05–00765–137 or any related review and investigation of post-traumatic stress disorder unemployability and 100 schedular percent ratings cases, until the Department of Veterans Affairs reports to the Committee on Appropriations on its plan for implementing this recommendation, and outlines the staffing and funding requirements.

Mrs. HUTCHISON. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1864) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1865

Mrs. HUTCHISON. I send an amendment to the desk on behalf of Senator DURBIN and Senator MURRAY and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. DURBIN and Mrs. MURRAY, proposes an amendment numbered 1865.

Mrs. HUTCHISON. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To instruct the Department of Veterans Affairs to conduct a veterans disability compensation information campaign)

On page 81, line 2, insert ''The VA shall conduct an information campaign in States with an average annual disability compensation payment of less than $7,300 (according to the report issued by the Department of Veterans Affairs Office of Inspector General on May 19, 2005), to inform all veterans receiving disability compensation, by direct mail, of the history of below average disability compensation payments to veterans in such States, and to provide all veterans in each such State, through broadcast or print advertising, with the aforementioned historical information and instructions for submitting new claims and requesting review of past disability claims and ratings: *Provided further*,'' after ''*Provided*,''.

Mrs. HUTCHISON. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1865) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. HUTCHISON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1866

Mrs. HUTCHISON. I send an amendment to the desk on behalf of Senator JEFFORDS and ask for its consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. JEFFORDS, proposes an amendment numbered 1866.

Mrs. HUTCHISON. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide clinical training and protocols to meet the mental health care needs of servicemembers and veterans)

On page 93, between lines 20 and 21, insert the following:

SEC. 222. CLINICAL TRAINING AND PROTOCOLS.

(a) FINDINGS.—Congress finds that—

(1) the Iraq War Clinician Guide has tremendous value; and

(2) the Secretary of Defense and the National Center on Post Traumatic Stress Disorder should continue to work together to ensure that the mental health care needs of servicemembers and veterans are met.

(b) COLLABORATION.—The National Center on Post Traumatic Stress Disorder shall collaborate with the Secretary of Defense—

(1) to enhance the clinical skills of military clinicians through training, treatment protocols, web-based interventions, and the development of evidence-based interventions; and

(2) to promote pre-deployment resilience and post-deployment readjustment among servicemembers serving in Operation Iraqi Freedom and Operation Enduring Freedom.

(c) TRAINING.—The National Center on Post Traumatic Stress Disorder shall work with the Secretary of Defense to ensure that clinicians in the Department of Defense are provided with the training and protocols developed pursuant to subsection (b)(1).

Mrs. HUTCHISON. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1866) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. HUTCHISON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that Senator SALAZAR be added as the original cosponsor of the Feingold amendment that was just passed by consent.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1865

Mr. DURBIN. Mr. President, I am pleased to offer with Senator OBAMA this amendment to the Veterans appropriation bill. Our amendment will inform America's most under-compensated disabled veterans about how they may have their claims reviewed.

Americans have a fundamental dedication to fairness. No matter what a person's background, class, religion, race or other difference, everyone deserves to be treated equally under the law.

When we hear about unequal treatment, our basic sense of justice as Americans is shocked. We are perhaps doubly shocked when we hear of unequal treatment of disabled veterans.

We would expect that disabled veterans will receive differing levels of disability compensation based on the degree and type of their disability, but we do not expect to see the average amount paid to disabled veterans to vary greatly from State to State.

Unfortunately, the truth is that the average amount paid to disabled veterans across this country varies widely.

The May 19, 2005 Review of State Variances in VA Disability Compensation Payments released by the Department of Veterans Affairs Office of Inspector General confirms media reports that ''variances in annual disability compensation by State have existed for decades.'' The average annual disability compensation payment in the highest State is $12,004 per year. In the lowest State it is only $6,961.

The State with the lowest average compensation is my own state of Illinois.

The report from the Inspector General of the Department of Veterans Affairs acknowledges that, in addition to demographic factors, inconsistency in VA rating decisions is one of the major causes of this disparity. A major reason for inconsistent decisions is the shortage of rating specialists in the VA offices reviewing the claims. The review's survey of VA rating specialists revealed that most of them do not believe the regional offices have sufficient rating staff.

On May 20, the day after the release of the report, Senator OBAMA and I hosted a Veterans Town Hall Meeting in Chicago. We invited the Secretary of Veterans Affairs to join us so that he could help explain to the veterans of our State how they had been so short-changed and so under-compensated for so long and—more importantly what he was going to do about it.

To the Secretary's credit he stepped up to the plate. He promised a special operation to review new claims as well as old ones and he committed to providing the additional staff to get this done.

These are steps in the right direction which might help correct a decades-long history of unequal treatment; a decades-long pattern of under-compensated veterans; a decades-long injustice.

Unfortunately, veterans can't ask for what they don't know about.

The purpose of our amendment is to set aside some funds which will allow the VA to conduct an information campaign to inform veterans of this past history of unequal treatment and under-compensation and to notify them of how they can have their case reviewed for possible correction.

The Secretary of Veterans Affairs made a commitment to making the situation right.

Here is what the Secretary said:

We are committed to doing what is right for our veterans. If that entails that we have to set up a special operation here in Illinois to review your claims or to look at new claims that you as an eligible veteran want to make, we will do that. We want each of you to feel that you have been treated fairly and equitably by your VA, because you deserve that.

The past is past, but as I have been charged by both of these Senators, the future is now, and we are going to make a special effort to see if we can have you feel sure that you have been treated fairly and equitably by the VA so that you will have a chance if you so choose to have a review of that, or you can bring the new information to us, and we will make every effort to see that that is reviewed, and reviewed fairly and equitably for you.

Later at that meeting, the Secretary promised to provide the staff to get this done. He said:

. . . If we need more people here, we're going to get them. And as I said when I spoke earlier, it looks like we could make a special effort for you to come in and have a review or come in with a new claim, and we're going to have people there to process it and do it just as timely as we can.

Recently, those additional disability rating specialists arrived to augment the existing staff at the Chicago regional office so that claims can be reviewed more thoroughly and more quickly.

Now the final step is for the VA to inform veterans that, while they have indeed been under-compensated and short-changed for decades, help is now available to them.

The amendment which we have offered requires the Department of Veterans Affairs to conduct an information campaign in those States where the average annual disability compensation payment made to veterans is less than $7,300. According to the Inspector General's report of May 19, 2005, there were six ''low cluster'' States below this level of average disability payment. Those States were Illinois, New Jersey, Ohio, Connecticut, Michigan and Indiana. The intent of this measure is to inform veterans of the past history of below-average disability compensation payments in these States. It is also intended to provide these veterans with information on how to request a review of past

claims and ratings and how to submit new claims as the Secretary has promised. The campaign would include mailed notifications to all veterans in these States who are currently receiving disability compensation. The amendment also requires the Department to disseminate this information through broadcast and print advertisements in order to educate any veterans whose past claims may have been improperly denied.

The deliberate sharing of this information with our most under-compensated disabled veterans will help provide them with an opportunity to have their case reviewed and perhaps at long last to receive the compensation to which they are entitled.

I yield the floor

AMENDMENTS NOS. 1867 AND 1868

Mr. SALAZAR. Mr. President, I rise to discuss two amendments to the Military Construction and Veterans Affairs appropriations bill.

My first amendment No. 1867, is an attempt to avoid the budget fiasco we faced earlier this year.

We are working on an appropriations bill for a Department of Veterans Affairs that is under a cloud. The VA is under a cloud because earlier this year, it announced a $1.27 billion budget deficit.

This news came as a surprise to millions of veterans across the country and was completely unexpected by Members of Congress.

In fact, the news of this gigantic shortfall came, not from an official announcement, but by accident, during a routine budget meeting with congressional staffers. This was a billion-dollar blindside that never should have happened, and that should never happen again.

I commend Senators KAY BAILEY HUTCHISON and DIANE FEINSTEIN as well as Senators CRAIG and AKAKA for their leadership in speeding additional funding to fill the gap this year.

I also commend them for their great work in this appropriations bill and in their subcommittee report to make sure that this kind of budget fiasco does not happen again.

Specifically the requirement in this bill that VA make quarterly budget reports to Congress makes good sense.

My amendment would build on that obligation and require the VA to notify Congress immediately, if at any point in the year, they discover that the Department may face a budget shortfall totaling 2 percent or more of the VA's discretionary budget. It also would require VA to come up with a plan to improve its actuarial and long-term budget planning.

This amendment just makes common sense. Throughout the year, the VA is constantly receiving new data on enrollment, utilization, and medical costs.

The VA knew for some time that it faced higher than expected enrollment of returning Iraq veterans. The VA was shifting money between administrative accounts to cover the gap well before they let Congressional appropriators and authorizers know. The earlier that Congress finds out about a problem, the more we can be partners in finding a solution.

Senators AKAKA, DURBIN, and I have asked GAO to investigate the VA's budget and actuarial process. My first amendment also would require the VA to do its own internal review and come up with a plan to improve the budget process to compliment this investigation.

My second amendment, No. 1868, would address a problem that was brought to my attention during a field hearing I held in Colorado on rural veterans issues in August.

Veterans in rural areas are in poorer health than their urban counterparts. A 2004 study found that rural veterans scored worse than urban veterans both in overall health and mental health. Because of the distance and difficulties in obtaining care, many rural veterans put off preventive as well as necessary treatment, which results in poorer health and ultimately increased health costs.

Almost every Senator in this body has heard similar stories, but I will tell one. Veterans in northwestern Colorado who have to drive as many as 360 miles round trip through winding mountain roads to reach the VA Medical Center in Grand Junction. This is a grueling trip that takes an economic and physical toll on our veterans and leads many to not seek care.

Community-based outpatient clinics can be the most cost-effective way to reach veterans and ensure they get the ongoing primary healthcare they need to stay healthy, and ward off expensive complications that come from lack of early treatment.

Despite this, the VA's prioritization methodology used to identify new clinic locations hurts rural veterans disproportionately.

Because of its emphasis on reaching the largest number of veterans in a cost-effective way, the VA's clinic planning process is geared to urban and suburban areas, where there are the largest numbers of veterans.

The Capital Asset Realignment for Enhanced Services, CARES, Commission asked VA to address this issue, and the VA has taken some important steps forward. However, at my hearing, VA officials told me that current policies still heavily favor urban areas, and were precluding the building of additional rural clinics.

In too many rural corners of this country, there are isolated pockets of veterans who do not have enough access to VA care. I believe that we need additional outpatient clinics in rural America. For too long, tight budgets and bad priorities have slowed the building of new clinics across the country. My amendment would take a small step to giving the VA the authority to expand access to health care in rural areas.

I yield the floor.

AMENDMENT NO. 1867

Mrs. HUTCHISON. Mr. President, I send an amendment to the desk on behalf of Senator SALAZAR and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. SALAZAR, proposes an amendment numbered 1867.

Mrs. HUTCHISON. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require a report on any Department of Veterans Affairs budget shortfall totaling 2 percent or more of the Department's total discretionary funding budget for a fiscal year)

On page 93, between lines 20 and 21, insert the following:

SEC. 222. (a) The Secretary of Veterans Affairs shall immediately submit to the Committees on Veterans' Affairs and Appropriations of the Senate and the House of Representatives a report on any Department of Veterans Affairs budget shortfall totaling 2 percent or more of the Department's total discretionary funding budget for a fiscal year.

(b) The Secretary of Veterans Affairs shall, not later than 180 days after the date of the enactment of this Act, submit to the Committees on Veterans' Affairs and Appropriations of the Senate and the House of Representatives a comprehensive plan to improve long-term budget planning and actuarial forecasting at the Department of Veterans Affairs.

Mrs. HUTCHISON. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1867) was agreed to.

Mrs. HUTCHISON. Mr. President, I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. HUTCHISON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRAIG. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1868

Mr. CRAIG. Mr. President, I send to the desk an amendment numbered 1868 on behalf of Senator SALAZAR. I ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Idaho [Mr. CRAIG], for Mr. SALAZAR, proposes an amendment numbered 1868.

Mr. CRAIG. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To assist rural veterans)

On page 93, between lines 20 and 21, insert the following:

SEC. 222. (a) In conducting advanced planning activities under this Act, the Secretary of Veterans Affairs shall reevaluate Veterans Health Administration Handbook 1006.1 and other guidance and procedures related to planning, activating, staffing, and maintaining community-based outpatient clinics.

(b) In conducting such planning, the Secretary shall—

(1) revise as appropriate existing policies to make them less disadvantageous to rural veterans; and

(2) reexamine criteria used in planning, activating, staffing, and maintaining such clinics, including geographic access, number of Priority 1-6 veterans, market penetration, cost effectiveness, and distance to parent facilities, to determine whether such criteria are weighted in a manner that negatively affects rural veterans.

The PRESIDING OFFICER. Is there further debate? The question is on agreeing to the amendment.

The amendment (No. 1868) was agreed to.

Mrs. FEINSTEIN. Mr. President, I move to reconsider the vote.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CRAIG. Mr. President, I ask unanimous consent that at 3:10 today, the Senate proceed to a vote on or in relation to Akaka amendment No. 1852, with no amendments in order to the amendment prior to that vote; provided further that no other amendments be in order to the bill and that following disposition of the Akaka amendment, H.R. 2528 be read for a third time and the Senate proceed to a vote on passage with no intervening action or debate; provided further that following the vote the Senate insist on its amendments, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate.

I finally ask unanimous consent that there be 2 minutes equally divided for debate prior to passage.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRAIG. Mr. President, Senator AKAKA is en route to the floor to make some final comments on his amendment prior to the vote. With that in mind, and that vote occurring at 3:10, I will take 5 minutes or less to debate in opposition to the Akaka amendment. I do this with great difficulty because the Senator is proposing additional funding in an area that we have already concentrated on, both in the appropriating subcommittee and in the authorizing committee. He is asking for an additional $10 million in the budget for the Veterans Readjustment Counseling Service. This would represent a $14 million increase for the service just this year and that is an increase of almost 15 percent in its budget.

I agree the Veterans Readjustment Counseling Service does great work. They have taken on some additional roles, including the Global War on Terrorism Outreach Program, but this bill already provides a generous $4 million increase for this function and more broadly provides over $3 billion for veterans health care programs.

I understand the Senator from Hawaii would like to focus some attention on this program with his amendment, but I would say to my colleagues that I believe the administration and the Senate Veterans Affairs' Committee, which I chair, has already focused the necessary needed additional attention on mental health and the counseling needed for our returning service members. We have also dialoged very directly with the Veterans' Administration and at this time they feel they are adequately funded.

The bill I sponsored, S. 1182, which was just reported to the floor from the Veterans' Committee, contains numerous provisions to increase and provide access to mental health and counseling services. VA could hire marriage and family therapists as well as licensed medical health care counselors.

Further, VA is directed to work on improving access to telehealth initiatives in our Vet Center Program, which VA has expressed a desire to do.

Finally, I oppose the amendment because it would further reduce VA's information technology budget, which I think is critical. VA has made tremendous strides in improving its IT programs. It has made some errors, but clearly the benefits are outweighing the mistakes, in my opinion, in most instances.

This bill places conditions on VA's access to its IT money to ensure it is well spent and properly managed. But at the end of the day, they must continue to move forward and make needed improvements to their IT program, and the money in this bill is critical to making sure they do that.

It is for all of these reasons, regretfully, that I stand to oppose Senator AKAKA's amendment. As I said, we are putting substantially more money into counseling and veterans readjustment counseling services.

We understand from where the Senator speaks. We appreciate it. Clearly, he and I and all of us who look more closely at veterans programs recognize the need for counseling for many of our veterans when they return. It is a high priority of this chairman; it is a high priority of the ranking member. It is my opinion that with the additional $3.2 billion—new dollars—in the veterans budget which this represents, with the add-ons which we put in Interior and a variety of other appropriations, we have adequately funded necessarily and appropriately the services the Senator would wish to provide additional moneys for, taking them from critical areas but still remaining very important.

I see the Senator is on the floor to speak to his amendment. I yield the floor.

The PRESIDING OFFICER (Mr. COLEMAN). The Senator from Hawaii.

Mr. AKAKA. Mr. President, I will speak on this amendment. I tell our colleagues Senator CRAIG and I work very well together, and we will still work well together with the Veterans' Administration.

My amendment is to meet the needs that are there now. This amendment takes $10 million from VA information technology—specifically from a troubled Health-E-Vet Migration Program. So this is an offset to the $10 million.

IT is critically important. We know that. As ranking member of the Committee on Veterans' Affairs, I am quite familiar with VA's electronic medical record. VA is making use of the best technology out there. We saw how good the electronic medical record was following Hurricane Katrina when VA providers were able to access medical records of evacuees. This amendment would not impinge upon that critical program. I am also quite familiar with a failed computer program called CORE-F.L.S., which was abandoned after its failure at Big Pines VA Medical Center in Florida. To be sure, this $300 million contract failed because of lax project management.

I want to make perfectly sure that the Health-E-Vet is on the right track. As recently as February of this year, VA hired Carnegie Mellon to assess this Health-E-Vet Program. Carnegie Mellon found that VA did not ''have the needed staff or procedures for a large-scale system integration project.''

In the meantime, PTSD and mental health needs of returning soldiers are absolutely critical. Vet centers are most likely the VA entity which will be first accessed by a returning soldier. History tells us that returning soldiers are more likely to seek treatment at a storefront vet center rather than a VA hospital or clinic.

I also remind my colleagues that if we reach returning soldiers with less serious readjustment issues, we might be able to stave off the more debilitating PTSD. This is a simple choice that we make at this time.

I thank my chairman for his comments.

Mr. President, I ask unanimous consent to add Senator JEFFORDS and Senator KERRY as cosponsors of my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. AKAKA. Thank you very much. I yield the floor.

Mr. FEINGOLD. Mr. President, the amendment that I am offering today will help to ensure that our veterans have easy access to information about the benefits that they have earned through their service to our country.

Each year, the Department of Veterans Affairs publishes an updated

version of a handbook entitled, ''Federal Benefits for Veterans and Dependents,'' which contains useful information about benefits that are available through the VA. I have heard from a number of Wisconsinites who are concerned that this useful handbook is not readily available to our veterans and to County Veterans Service Officers, CVSOs, and others who assist our veterans.

It is my understanding that the Department purchases a limited number of copies of this handbook each year that some are distributed to VA regional offices, to VA health care facilities, and to State Departments of Veterans Affairs. Some of my constituents are concerned that some facilities appear to have large stockpiles of this handbook, while others only receive a very limited number. I am also told that distribution of the handbook is largely left up to regional and local VA officials.

A number of Wisconsin CVSOs have informed me that they are having trouble obtaining adequate supplies of this handbook, and that they often have to rely on VA health care facilities or other sources to obtain additional copies. While I recognize that the handbook is available for download on the Department's Web site and for purchase through the Government Printing Office, GPO, many CVSOs and veterans service organizations do not have the resources to copy or purchase this handbook in large quantities. In addition, many veterans, particularly older veterans, do not have access to—or are unable to use—the Internet and it seems unreasonable to charge them $7 to purchase the handbook from GPO.

Veterans who want a copy of this handbook should get one—it's that simple. This handbook serves as a tangible reminder of the benefits they earned, and it also serves as a helpful guide for CVSOs, veterans service organizations, and others who work every day to ensure that our veterans receive these benefits. One Wisconsin CVSO tells me that this handbook is very valuable in his work with veterans, some of whom have told him that they have difficulty navigating the VA Web site or easily finding information in the online copy of the handbook. Being able to point a veteran to a specific page in the handbook is an important step in helping veterans to learn about their benefits or to find the answers to many common questions that veterans may have about these benefits.

Last year, in response to the concerns raised by my constituents, I asked former Secretary Principi to review the Department's policy for distributing this important handbook, including ensuring that CVSOs have access to this document. I also asked that he look into how to reallocate the supply to avoid a situation in which certain parts of the VA have surpluses while others are scrambling to get these handbooks to veterans who are requesting them. I also asked that he provide an estimate of how much it would cost to ensure that all CVSOs in the country are provided at least one case of the handbook each year and whether the Department's current annual supply of handbooks could be reallocated to achieve this goal. Finally, I requested that the Secretary provide me with information on the distribution policies of the various VA administrations with respect to providing copies of this handbook to individual veterans, including a description of the VA's policy regarding making these handbooks visibly available to individual veterans at VA facilities.

In the former Secretary's response, he assured me that ''. . . due to the increased outreach efforts initiated this past year, as well as the requests for additional handbooks from external veterans service providers, I am directing my senior leadership to reevaluate their requirements for publication and distribution of the 2005 handbook. Please be assured that county veterans service officers across the nation are included in next year's distribution.'' While I was encouraged by the former Secretary's response, CVSOs around Wisconsin tell me that they received only one or two copies of the 2006 edition of the handbook. This meager supply is not sufficient to use the handbook as a reference and to provide copies to veterans who request them.

The amendment that I am offering today would require the Secretary of Veterans Affairs to submit to the Senate and House Appropriations Committees a plan to provide an adequate supply of the 2006 edition of the ''Federal Benefits for Veterans and Dependents'' handbook and all subsequent editions of this handbook to all county veterans service officers in the country.

My amendment would also require the Secretary to work with the National Association of County Veterans Service Officers, other veterans service organizations, and state departments of veterans affairs to determine what supply is adequate and to include a cost estimate for providing these handbooks to all county veterans service officers in his report. The report would be due not later than 60 days after the enactment of this bill.

Some at the VA have argued that this important handbook was developed as a desk reference for VA employees, CVSOs, veterans service organizations, and others who help veterans to learn about and obtain their benefits. Former Secretary Principi's letter to me states that in 2003 ''. . . more than 1.4 million copies of the handbook were printed and distributed through the VA system. VA facilities, in turn, distributed handbooks to local veterans support agencies and organizations, responded to requests for the handbooks and used them as special events such as homeless veterans stand downs, veterans conferences, health fairs, and job fairs.'' While this handbook is indeed a helpful reference for those who work on behalf of our Nation's veterans, it is also a comprehensive and handy guide to veterans benefits that many veterans around my State have requested from their CVSOs. And it is evident from the former Secretary's response that the VA itself has made this publication available to individual veterans at a variety of events. No CVSO should have to refuse a veteran a copy of this booklet because he or she has been given an inadequate supply. No CVSO should have to tell a veteran that he or she does not have the budget to make the veteran a photocopy of the handbook or that he or she can gain access to it on the Internet or by purchasing it from GPO.

I am pleased that this amendment has the support of the Wisconsin Association of County Veterans Service Officers and the Wisconsin Department of the American Legion.

I understand that the managers have agreed to accept my amendment, and I want to thank them for their support on this issue. I look forward to reviewing the Secretary's report.

Mr. OBAMA. Mr. President, I rise today to support this important piece of legislation. As many of you know, the young soldiers returning from Iraq and Afghanistan are already coming home with post traumatic stress disorder. A recent Army study found that one in six soldiers in Iraq reported symptoms of major depression. Some experts predict that more than 100,000 soldiers may need some kind of mental health treatment when they come home.

It is not only our patriotic duty to provide these soldiers with the benefits they deserve; it is our moral duty at the most fundamental level. Unfortunately, PTSD is a disease that is still all too often misunderstood, and as I speak, there are efforts at the VA to require those folks who suffer PTSD to undergo additional scrutiny in the disability benefits process.

According to VA, it will review 72,000 cases in which the maximum amount of PTSD disability benefits was awarded. The rationale for reviewing these cases is VA's belief that 2.5 percent of these cases are ''potentially fraudulent.'' But notably, this review will entirely ignore cases in which benefits may have been unjustly denied.

This review sends a troubling message to the brave men and women who defended this country. Too many veterans see the VA as a bureaucracy with the singular goal of denying services and benefits to veterans. This decision to reopen only approved PTSD claims merely serves to promote that impression.

It is unconscionable for our Government to put the onus on law-abiding veterans to affirmatively demonstrate that they are not engaging in fraud. The process of gathering evidence to prove PTSD disability is extremely time consuming. It requires the compilation of medical records, military service records, and testimony from

other veterans who can attest to a person's combat exposure. I cannot fathom why the VA would require veterans to go through this emotionally painful process for a second time.

The VA—and our Nation's veterans—would be better served by creating nationwide standards for evaluating PTSD claims. As underscored by the inspector general's report in May that evaluated the chronic disparity between benefits received by veterans in Illinois and veterans in the rest of the country, PTSD is a highly subjective evaluation subject to significant variation. That same report uncovered significant variation in PTSD ratings from State to State—with Illinois consistently in the bottom rung for those ratings. The variation in PTSD ratings across the country may very well be the result of a lack of training or standardized practices on the part of the VA, not fraud on the part of our Nation's veterans.

I am pleased that Chairman HUTCHISON and Ranking Member FEINSTEIN worked with me and Senators DURBIN and MURRAY to include an amendment that prohibits the VA from proceeding with its review unless and until the VA reports to the Appropriations Committee on its plan for implementing this recommendation and outlines the staffing and funding requirements.

While this is an important provision, I am disappointed that there was no requirement that the VA look at denials of benefits as well as grants. To get an accurate and fair depiction of PTSD claims in this country, we need to ensure that denials are reviewed as well as grants of benefits. I will continue to work with my colleagues to see that this fundamental issue of fairness is addressed.

I also want to thank Chairman HUTCHISON and Ranking Member FEINSTEIN for their assistance in accepting an amendment to provide notice to veterans in certain States about their right to seek a review of their cases.

This provision addresses an important issue in Illinois. As some of you may know, Illinois has for more than two decades ranked 50th out of all 50 States in terms of disability benefit compensation. This staggering disparity in payments may well be the result of poor staffing and a lack of standards for disability payments across the Nation.

I have been pleased that Secretary Nicholson has agreed to provide the veterans of Illinois with extra disability raters so that the veterans in Illinois who may have been unjustly denied benefits will have the opportunity to seek a special review of their cases.

Unfortunately, up to now, there has been no special effort made to alert veterans to this special opportunity. This amendment will provide the funds for information campaigns in states with less than average disability compensation rates. These campaigns will alert veterans of the past history of below-average disability benefit rates and provide these veterans with information on how to request a review of any past claims. The hiring of additional disability raters is important, but it is meaningless unless veterans know of their right to get their cases reopened.

I thank my colleagues for their assistance with these amendments.

Mrs. FEINSTEIN. Mr. President, I propose that for the moment we set aside the Akaka amendment, that Senator CRAIG and I make our 2-minute ending comments, and we then have the vote on the Akaka amendment, and then final passage so there are consecutive votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Thank you, Mr. President.

Mr. President, this bill is notable in several regards:

First, under the leadership of Senator AKAKA and Senator BYRD, we were able to provide $1.977 billion in emergency funding in this bill to address the projected shortfall in veterans health care funding for 2006.

This is in addition to the $1.5 billion in the 2005 supplemental funding we were able to add to the 2006 Interior appropriations bill to make up the current shortfall in veterans health care. The bill before the Senate now totals $82.98 billion, of which $44 billion is discretionary spending.

For military construction, the bill equals the budget request of $12.116 billion. Although we have rearranged some of the funding within that request for the VA, the total amount appropriated in this bill is $70.7 billion, including $34.1 billion in discretionary and $36.6 billion in mandatory spending. This is $3.2 billion above the President's original budget request.

I commend and thank the chairman of the committee, Senator HUTCHISON of Texas. We have worked very well together in producing a very good bill. I am delighted we were able to finish it with quick speed.

I thank the staff on both sides. We have great professional staff. They have done a fine job.

I would like to turn it over to the chairman of the committee, my friend, Senator HUTCHISON.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Thank you, Mr. President.

I certainly appreciate the comments of my ranking member, Senator FEINSTEIN, with whom I have worked very closely on this bill. We have tried to accommodate every Member to the best of our ability with the priorities that many Members are concerned about—certain areas of the Veterans' Administration particularly. I think we have addressed those concerns in a responsible way.

I think it is very important to pass this bill because we have stayed within our budget allocation. We will be coming in later, I am sure, with some supplemental health for veterans facilities that have been in the hurricane-affected areas of our country, but I hope we will be able to defeat the Akaka amendment, which would skew the cap on the bill, and then go to final passage. I think it is a bill everyone can support. It certainly goes further in terms of meeting our veterans' needs than any veterans bill has ever done, including the supplemental $3.2 billion, because the Secretary of Veterans Affairs came to us and said our models are wrong, we need more money, and we have supplied that money on a bipartisan basis.

I recommend this to my colleagues.

Mr. CRAIG. Will my colleague yield?

Mrs. HUTCHISON. I am happy to yield.

Mr. CRAIG. I appreciate the chairman yielding.

Let me say to the chairman and ranking member, as the chairman of the authorizing Committee of Veterans' Affairs, how much we appreciate the cooperative way in which we have worked together to get these numbers right. Both Senators have spoken very clearly to that effort and to the unprecedented amount of money that has flowed to veterans at this time, which we think is necessary and appropriate.

I thank the Senator for that due diligence.

Mrs. HUTCHISON. Mr. President, which amendment is pending?

VOTE ON AMENDMENT NO. 1852

The PRESIDING OFFICER. Time has expired. The question is on agreeing to the Akaka amendment.

Mrs. HUTCHISON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Florida (Mr. MARTINEZ).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 48, nays 50, as follows:

[Rollcall Vote No. 242 Leg.]

YEAS—48

Akaka	Dodd	Leahy
Baucus	Dorgan	Levin
Bayh	Durbin	Lieberman
Biden	Feingold	Lincoln
Bingaman	Feinstein	Mikulski
Boxer	Harkin	Murray
Byrd	Inouye	Nelson (FL)
Cantwell	Jeffords	Nelson (NE)
Carper	Johnson	Obama
Chafee	Kennedy	Pryor
Clinton	Kerry	Reed
Collins	Kohl	Reid
Conrad	Landrieu	Rockefeller
Dayton	Lautenberg	Salazar

Sarbanes	Snowe	Stabenow
Schumer	Specter	Wyden

NAYS—50

Alexander	DeWine	McCain
Allard	Dole	McConnell
Allen	Domenici	Murkowski
Bennett	Ensign	Roberts
Bond	Enzi	Santorum
Brownback	Frist	Sessions
Bunning	Graham	Shelby
Burns	Grassley	Smith
Burr	Gregg	Stevens
Chambliss	Hagel	Sununu
Coburn	Hatch	Talent
Cochran	Hutchison	Thomas
Coleman	Inhofe	Thune
Cornyn	Isakson	Vitter
Craig	Kyl	Voinovich
Crapo	Lott	Warner
DeMint	Lugar	

NOT VOTING—2

Corzine	Martinez

The amendment (No. 1852) was rejected.

Mrs. HUTCHISON. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. CHAFEE). The majority leader is recognized.

Mr. FRIST. Mr. President, the next vote will be final passage. I congratulate Senators HUTCHISON and FEINSTEIN for expediting the bill this afternoon. It took the cooperation of all Members and proves that we can move quickly through the appropriations process under the leadership of two managers. As we continue that, we go forward. I also congratulate Senators BENNETT and KOHL for their hard work on the Agriculture appropriations bill passed this morning by a vote of 97 to 2.

As Members know, the Roberts nomination—again, congratulations to the Judiciary Committee—was reported by the Judiciary Committee today. We will turn to consideration of that nomination on Monday.

We will be in session tomorrow. Senators are invited to come to the floor tomorrow, if they would like to make any remarks on that nomination. We will be voting Monday at about 5:30. That will be the next vote.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, Members can come and talk about anything they want tomorrow. We will be in a period of morning business.

Mr. FRIST. We will be in a period of morning business tomorrow. I want to accommodate Members on their statements on the Roberts nomination or anything else tomorrow. The vote at 5:30 on Monday will not be on Roberts.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. CRAIG. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Florida (Mr. MARTINEZ).

Further, if present and voting, the Senator from Florida (Mr. MARTINEZ) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 243 Leg.]

YEAS—98

Akaka	Dole	McCain
Alexander	Domenici	McConnell
Allard	Dorgan	Mikulski
Allen	Durbin	Murkowski
Baucus	Ensign	Murray
Bayh	Enzi	Nelson (FL)
Bennett	Feingold	Nelson (NE)
Biden	Feinstein	Obama
Bingaman	Frist	Pryor
Bond	Graham	Reed
Boxer	Grassley	Reid
Brownback	Gregg	Roberts
Bunning	Hagel	Rockefeller
Burns	Harkin	Salazar
Burr	Hatch	Santorum
Byrd	Hutchison	Sarbanes
Cantwell	Inhofe	Schumer
Carper	Inouye	Sessions
Chafee	Isakson	Shelby
Chambliss	Jeffords	Smith
Clinton	Johnson	Snowe
Coburn	Kennedy	Specter
Cochran	Kerry	Stabenow
Coleman	Kohl	Stevens
Collins	Kyl	Sununu
Conrad	Landrieu	Talent
Cornyn	Lautenberg	Thomas
Craig	Leahy	Thune
Crapo	Levin	Vitter
Dayton	Lieberman	Voinovich
DeMint	Lincoln	Warner
DeWine	Lott	Wyden
Dodd	Lugar	

NOT VOTING—2

Corzine	Martinez

The bill (H.R. 2528), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

Mrs. HUTCHISON. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Without objection, the title is amended.

The Senate insists on its amendments and requests a conference with the House and the Chair appoints Mrs. HUTCHISON, Mr. BURNS, Mr. CRAIG, Mr. DEWINE, Mr. BROWNBACK, Mr. ALLARD, Mr. MCCONNELL, Mr. COCHRAN, Mrs. FEINSTEIN, Mr. INOUYE, Mr. JOHNSON, Ms. LANDRIEU, Mr. BYRD, Mrs. MURRAY, and Mr. LEAHY conferees on the part of the Senate.

MORNING BUSINESS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Montana.

KATRINA HEALTH RELIEF PACKAGE

Mr. BAUCUS. Mr. President, I wish to read a quote from the Chicago Tribune, dated September 14, by Judith Graham, Tribune staff reporter commenting on the conditions of people needing medical care and needing it desperately on the heels of Katrina:

> A New Orleans man with a brain tumor needed surgery fast—but when he found himself stranded without health insurance in Baton Rouge after Hurricane Katrina, it took the intervention of Ruth Kennedy, Louisiana's deputy Medicaid director, to get him help.
>
> Yet this energetic state official can't possibly pull strings for all of the people who need medical assistance after the storm, such as an 89-year-old Louisiana man, now in Los Angeles with family, who couldn't fill his prescriptions because his Louisiana Medicaid card isn't good in California. Or a displaced New Orleans woman with colon cancer who needed chemotherapy but couldn't get an appointment in the city she had fled to after the storm.
>
> Meeting the medical needs of up to 1 million hurricane evacuees scattered across the country looms as an enormous challenge. Most of them are without their medical records or any way to contact their physicians; many are suddenly without jobs and at risk of losing their medical coverage; and as a group, they're disproportionately likely to be needy and sicker-than-average.

Senator GRASSLEY, the chairman of the Finance Committee, and I have written a bill. We would like the swift passage of that bill. It is the Emergency Health Care Relief Act. This bill would provide victims of Hurricane Katrina with the health care they urgently need. We should pass this bill, and we should pass it immediately.

We have all seen the terrible destruction, the dead, the displaced, the hundreds of billions of dollars in damages.

Traveling down to the Gulf Coast last week, I saw the havoc Katrina had wreaked. It is stunning. It is like a war zone. It is worse than the pictures. It is worse than I had imagined.

At one stop, we went into what was left of a library. Muck and ruin covered books and other library materials. One shiny object caught my eye. I reached down to pick it up. What was it? It was a DVD of the film, ''The Perfect Storm.''

Among its many consequences, the hurricane inflicted countless blows to people's health. A third of Katrina evacuees in Houston had injuries or health problems, and more than half of those evacuees were seeking medical care.

The bill Senator GRASSLEY and I introduced will provide that care. Our bill will provide temporary Medicaid coverage for Katrina survivors. It will provide for a streamlined application. It will make benefits available right

now. It will provide coverage for up to 5 months, with a possible extension of 5 months. It is emergency health care benefits for people who need it. Pregnant women and children will be eligible for help at higher income levels, and an extended package of mental health services under Medicaid will help survivors deal with the trauma of Katrina. To support those who have private health insurance, our bill will provide Federal assistance to help individuals keep their coverage. I say that with reference to the article I read, the reporter's comments about people who do not have health insurance anymore because they have lost their jobs. Our bill will help alleviate the burden of providing health care. I have been inspired by the sights and stories of health care workers who have done all in their power to help treat victims. To ensure these providers are compensated, our bill establishes a disaster relief fund to cover the uncompensated costs they incur because of Katrina.

There are millions of dollars of uncompensated health care costs. Katrina inflicted massive financial losses on the States of Mississippi, Louisiana, and Alabama. Our legislation calls on the Federal Government to pay 100 percent of Medicaid and children's health care costs for 2006. For Alabama, the Government will pick up 100 percent of those costs in several particularly ravaged counties.

Our bill postpones a scheduled decrease in Federal Medicaid payments for 2006 to ensure all States have the means to meet their health care needs in this trying time.

Our legislation provides immediate access to funds through the TANF program for Louisiana, Mississippi, and Alabama for 14 months and provides these States, as well as States providing services to evacuees, immediate access to the TANF contingency fund, which is a very important part of the 1996 welfare law. It has been difficult and hard to use until now. Our bill eases time limits on aid so people can get immediate help, and our legislation provides federally funded extension of unemployment benefits for unemployed workers in Louisiana, Mississippi, and Alabama. This law will go a long way toward helping Katrina survivors to get back on their feet.

We must act and act now to help those who have been harmed. This is an emergency. This is not time for the legislative process as usual. This is an emergency. People need help now, not tomorrow. We must do our part to help this region and its people, and we can do so today by passing the Emergency Health Care Relief Act.

This bill should be brought up now, today. Several of us have approached the leadership to try to get this bill up now and passed today. People need help. Many have no insurance. They have lost their jobs. Time is critical. Senator GRASSLEY and I and our staffs have worked together for over a week. We have a good effort to help meet health care needs. The affected States agree. Senators from both sides of the aisle of the affected States have all worked with us. We have agreement. All Senators in the affected States, including Senator GRASSLEY and myself, agree.

I cannot speak for the House of Representatives, but I can speak for us in this body. We have a very good package that I think should pass right now. I am very concerned that there are Senators here, on the other side of the aisle, who object. No one on this side of the aisle objects to this legislation coming up. I am informed there are Senators on the other side of the aisle who object to having this legislation coming up. The objection is we have not had time to read it. I understand that. It was brought up fairly quickly. We can give Senators time to read it. We can bring this legislation up tomorrow. Certainly they can read it over 24 hours—that is enough time to read this bill—or the next 72 hours, over the weekend. Certainly there has to be some trust around here. Senator GRASSLEY and his staff and I have fly-specked this bill. We worked very hard together over a period of almost 2 weeks. We worked with the Senators affected. They all agree, this is an emergency. This is not legislation as usual.

I call on my colleagues, let's bring up this bill and get it passed. I am very tempted to ask for unanimous consent to bring up this bill now, move us into legislative session, and bring this bill up now. Why? Very simply: It is the right thing to do. Very simply: These people need help. Very simply: It has been worked on for almost 2 weeks now. Very simply: I cannot think of any possible significant, legitimate exception.

I will not push for consideration at this point in deference to those who believe they need more time, but I very much hope when the time does come, maybe tomorrow, maybe on Monday, that this bill does come up, that we work our way through those objections so all Senators can unanimously pass this legislation. It is so important, it is so needed for so many people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

THE WAR IN IRAQ

Mr. DURBIN. Mr. President, we have considered many important issues on Capitol Hill this week. Here on the floor of the Senate, two major appropriations bills have passed, and in the Judiciary Committee, on which I serve, we considered the historic nomination of John Roberts to be our next Chief Justice of the U.S. Supreme Court. Those are all worthy issues for this Chamber to consider. Unfortunately, not enough has been said this week about an ongoing challenge to this Nation, which costs us dearly.

I speak directly to the issue of the war in Iraq. Yesterday I joined many of my colleagues for a briefing with the Secretary of Defense, Ambassador Jeffrey, and General Myers, about the situation in Iraq. Naturally I am constrained and cannot disclose details or specifics of that briefing. But I think in the most general terms American people understand what is happening in Iraq. Whether it is called terrorism or insurrection, it continues apace. Every single day, harrowing reports come out of civilian casualties and the deaths and injuries to our soldiers. Unfortunately, we do not speak enough on this floor about the reality of this war. This is the reality.

Americans killed in Iraq as of this morning, 1,907; Americans wounded, 14,641.

If you are not familiar with how these categories of wounded soldiers are created, you should understand many of these soldiers suffer far more than superficial wounds. I have visited with them at Walter Reed Hospital and veterans hospitals back in my part of the country. I have seen men and women who are facing amputations, serious head injuries, problems that will change their lives forever. The wounds they have suffered are wounds they will carry for the rest of their lives.

There are many veterans who come home from that war with invisible wounds, with wounds of spirit—post-traumatic stress disorder from things they have seen, things they have done, stress they have been placed under for extended periods of time. If you have friends who served in the Vietnam war, you may know one who is still trying to overcome the fact that he is haunted by that experience. This is the reality of war. It is a reality you see time and again, as families stand by hospital beds or stand in grief at the funerals. It is a reminder that we cannot ignore the issue of the war in Iraq. We cannot ignore the reality of what it has brought to America.

Last week, Iraqi President Jalal Talabani came to Washington. As he arrived in Washington, he said he believed the United States could safely withdraw 50,000 troops before the end of the year. He said Iraqi forces are trained and ready to assume control of their own country. Then he went to the White House and he changed his remarks. He was not as specific; he was not as definite. He said he hoped the Iraqi troops could take over for American troops at some point in the future.

It was enticing to hear him suggest that 50,000 of the 146,000 currently serving in Iraq would be home by Christmas. I still think that is a goal we should not give up on. Unfortunately, we are still waiting for concrete evidence that Iraqi troops are ready to assume the responsibility of defending their own country. I am not certain they can take on this insurgency today from a political or a military point of view. But we need to see a clear path from the point where we are today to the withdrawal of American troops. We need to have this administration articulate that path and make it clear to the people of this country.

Next month the second report on the status of the training of Iraqi forces is due. It is critical that this report provide real information on the readiness of these forces to meet President Talabani's suggestion. While it must not disclose vital security information, this report must include enough data in unclassified form so we know exactly where we are today in terms of the Iraqi takeover of the defense of their own country.

The trajectory to date is not encouraging. There have been peaks recently, including the historic vote in January in the first real democratic election in Iraq's history. But 470 Americans have been killed since those elections on January 30 of this year—470. The administration to date has not managed to change that terrible equation; and 2½ years after the invasion I still do not believe the administration has a clear plan to secure the peace.

Intelligence analysts, both civilian and military, use a phrase called ''ground truthing.'' Geographers and geophysicists use the same term. It means going out and physically surveying the terrain, recognizing the reality on the ground may not match the map you have been given. The solution to this disparity is not to try to bulldoze the landscape or to sculpt it to match the map or to sculpt it to match an expectation in your mind. The solution is not to blind yourself to reality on the ground. The solution is to recognize differences between what you expected and what you were actually experiencing. You may need to redraw your map. You will almost certainly need to readapt your plan.

From the day of the invasion, plans were drawn up that refused to recognize the reality on the ground in Iraq. This administration has blinded itself to what I call these ground truths. Our troops rolled in and defeated Saddam Hussein and his vaunted National Republican Guard. You know why—we have the best fighting men and women in the world. No one else even comes close. But defeating an army is not the same as defeating an insurrection. The reports we read in the press suggest that insurrection is still very strong and very lethal.

Defeating an insurgency such as that is so much harder. These terrorists, these insurgents, do not swim in a sea of sand. They are supported by people in Iraq. It demands a completely honest, clear-eyed, honest, and unbiased understanding of what we are facing, the political, cultural, and physical ground truths. I am afraid this is lacking in this administration's administration of this war.

In 1961, President John F. Kennedy gave the commencement address at the U.S. Naval Academy. There he said:

> You gentlemen, therefore, have a most important responsibility, to recognize that your education is just beginning, and to be prepared, in the most difficult period in the life of our country, to play the role that the country hopes and needs and expects from you.
>
> You must understand not only this country but other countries. You must know something about strategy and tactics and logistics, but also economics and politics and diplomacy and history.
>
> You must know everything you can know about military power, and you must also understand the limits of military power. You must understand that few of the important problems of our time have, in the final analysis, been finally solved by military power alone.

Iraq has shown us again the limits of military power, even the military capabilities of a super power. It has shown us the importance of allies. And it has shown us the importance of ground truthing.

We are now constrained by the limits that are imposed by the prior poor decisions this Administration has made in Iraq, not just by going to war but in how it went to war.

If we were prepared for the invasion and the war, we certainly were not prepared for what followed. When the administration went to war, it failed to build a real coalition. How much different that war would be today if the President had at his side Muslim nations helping us to maintain stability in Iraq. When it executed the invasion, it tore down social, political, and economic structures that couldn't be replaced. We saw the beginning of the disintegration when the looting began, and it continues almost every day with improvised explosive devices from the almost endless arsenal of equipment and ammunition still on the ground for the taking in Iraq.

In Iraq, it sometimes seems that we have been building levees of sand that have steadily eroded. I am reminded of the images of the helicopters in Louisiana dumping enormous sandbags into a gaping hole on a broken levee and how these enormous sandbags would disappear, swallowed up by the force of the water. Is that what is happening in Iraq? That is what we have to ask, and that is what this administration must answer.

Are we making enough progress in Iraq to justify what it is costing us in blood, treasure, and in damage to our own national security? That is becoming a more and more difficult question. It certainly is a question this administration has not faced forthrightly. The American people deserve an answer. Men and women in uniform risking their lives today in Iraq deserve an answer.

If we are not making sufficient progress, what are we going to do to change direction?

I have joined others in saying that progress in the battlefield alone is never going to be enough. The Iraqi Government has to function as a real Government. It has to be able to provide basic social services, to protect its borders, offer its people security, and it is a far distance before they ever reach that point. Now, the Iraqi Government cannot perform these basic functions. Today, electricity in Baghdad is still at prewar levels. Power is off and on for only a few hours each day. Barely half the Iraqis have access to clean water. Unemployment estimates range from 27 to 40 percent. In addition to the terrible atrocities of car bombings and other attacks, street crime is now epidemic.

There are 146,000 U.S. forces in Iraq today, and there are those who say that they just aren't enough to do the job. There are others who would like to see them all leave tomorrow. But whatever the right number is, stability in Iraq, security in Iraq, and peace in Iraq depend ultimately upon the Iraqis and their Government—not American soldiers and their lives.

Next month, the Iraqis will again go to the polls to vote up or down on a draft constitution that is before them. Voting in a country under siege is a real act of courage by the people of Iraq. We respect them, and we respect that decision to go and vote very much. This referendum is an important step forward in the political process. But however the referendum turns out, it is not clear that on October 16—the day after the vote—the people of Iraq will be all that much closer to a unified, stable, and secure Government. I certainly hope they will be.

But if the constitution passes without the support of a major faction such as the Sunnis, it is hard to see how security and unity will emerge, and if the constitution is defeated we may have to start over.

The best possible outcome I can imagine is whichever way the referendum turns out that it is followed by civic engagements from all factions in Iraq—the Kurds, the Sunnis, the Shiites, and others. Without that civic engagement, I don't see how the political progress in Iraq can succeed. But whatever comes next, we must not let our desire to see progress in Iraq blind us to reality.

We need some political ground truthing as well.

President Kennedy was right when he said many problems do not have military solutions.

We need an integrated plan for Iraq that addresses critical political and economic needs. We need a plan that would finally bring international cooperation that this administration initially thought it could do without. We need a plan to draw down American forces—not merely because the war is less popular in our country but because we have to tell the Iraqis, once and for all, they have to take charge of their own future and their own security.

We need a plan that is based on the Iraqi political calendar, not our own. That is a plan we still have not received from this administration.

The 146,000 U.S. service men and women in Iraq today risking their lives deserve that plan, so do their families at home, and so do the American taxpayers who have poured nearly $200 billion into this war—a war which continues to demand over $1 billion a week. The war has come at a terrible price for Americans.

This chart shows the most graphic evidence of the cost: 1,907 of our best and bravest who have paid the ultimate sacrifice, a sacrifice borne by their families forever.

We don't honor their sacrifice if we refuse to ask the hard questions, if we refuse to demand of this administration—any administration—to tell us the truth of what we are facing and how we will bring this to an honorable conclusion.

October will give us a better understanding of what is happening in Iraq with both the constitutional referendum and the Department of Defense report. It is then up to all of us to act on that knowledge, to recognize our trajectory and to change the course, if we must.

Before America loses 2,000 of our best and bravest in Iraq, this administration needs to come forward and speak clearly on its plan to bring our troops home. This administration needs to make it clear that Iraq must accept its own responsibility to protect its own nation.

If the Iraqi war exposed a failure of intelligence, if Hurricane Katrina exposed a failure of imagination and preparation, the lives we lose every day in Iraq make it clear that we can wait no longer for leadership and vision to bring this war to an end as quickly as possible.

We in the Senate need to do our part. Each year, we consider a bill called the Department of Defense authorization bill. It is a bill which considers not only what our troops need but what our veterans need.

If there is ever a time when we should be spending more time on that than anything else, it is now, right now, as we are losing soldiers every day and seeing these soldiers come home wounded.

I am sorry to report to you that before we left on the August recess, that bill was withdrawn from the calendar. It was taken off the floor of the Senate for reasons I still don't understand. The leadership in the Senate decided there were more important things to talk about. We moved from the Department of Defense authorization bill to a special interest bill from the gun lobby that just had to be passed before we left for our August recess. That is a mistaken priority. It is a mistake that, frankly, does not reflect well on the Senate.

What could be more important for us to consider at this moment in our history than the Department of Defense bill? What could be more important than talk about the equipment needs of our troops, to protect sons and daughters who are standing in the path of bullets, in the path of bombs in Iraq today? What can be more important than to talk about veterans' benefits for those who are coming home, to make sure we do everything we can to keep our promise to them; that if they will stand up for America, we will stand up for our veterans? Why aren't we returning to this bill?

Why is the Republican leadership refusing to go back to the Department of Defense authorization bill? It should be the first thing on the calendar. But, unfortunately, the decision has been made that we will not. I think it is wrong. I think we owe it to the men and women in uniform, their families praying for them at home, and everyone in this country who is so proud of their contribution to make that our highest priority.

I sincerely hope that when we return to the Senate next week, we will return to that Department of Defense authorization bill—return to it to make certain that the equipment, the supplies, and all that is needed will be there for those troops.

I can remember the first soldier I visited at Walter Reed so long ago. He was from an Ohio unit. He had lost his left leg below the knee. I was amazed. There he was still scarred, with IVs running, recent amputation. And I asked him what he thought. He said, I want to tell you two things. First, please get some protection in those humvees. Put some armor in those humvees. They are just moving targets for those terrorists in Iraq. Second, tell me how I can get back with my unit.

I heard that so many times from so many soldiers who feel such an obligation to the men and women who stood next to them in battle. If they feel that obligation to fellow soldiers, shouldn't we feel an obligation to them? Shouldn't we make this our highest priority in the Senate?

I cannot understand why we have failed to do that. I call on the leadership, on Senator FRIST and others, to set aside whatever you planned after we consider Judge Roberts next week and move directly to the Department of Defense authorization bill. I can guarantee you that you will have the cooperation of the Democratic side of the aisle to come up with a definite set of amendments, a limited time for debate and a movement to final passage as quickly as possible. Those are things we can work out. But we can only work them out if the leadership of the Senate believes this is the same high priority that I feel today.

That is our responsibility—our responsibility for these men and women who have given their lives and given important parts of themselves for this country.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PRYOR. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF JOHN ROBERTS

Mr. PRYOR. Mr. President, today the Senate Judiciary Committee voted to bring the nomination of John Roberts to the full Senate for its consideration. I am quite sure that by October 3, 2005, Mr. Roberts will be sworn in as the 17th Chief Justice of the United States.

Today is a very important day for the Senate. I say this because several months ago this body was mired in a partisan judicial battle that many thought would end in a nuclear winter. Very few people, including a majority of the American public, thought that we would weather the storm and find common ground. But instead of nuclear winter, this body was able to rise above the partisan bickering that has plagued us for some time, and we were able to come to an agreement, an understanding that has allowed the judicial process to move forward.

While I do not intend to review that entire agreement, there is one part that is worth noting.

It states:

> We believe that under Article II, Section 2, of the United States Constitution, the word ''Advice'' speaks to consultation between the Senate and the President with regard to the use of the President's power to make nominations.
>
> We encourage the Executive branch of government to consult with members of the Senate, both Democratic and Republican, prior to submitting a judicial nomination to the Senate for consideration.
>
> Such a return to the early practices of our government may very well serve to reduce the rancor that unfortunately accompanies the advice and consent process in this Senate.

I think that in the case of John Roberts, the clause I read has been heeded by this administration, and I applaud President Bush for following in the tradition of past Presidents who have sought meaningful consultation with the Senate.

For the first time in my short tenure as a Senator, I felt as though this administration put forth an effort to gauge where the Senate was on a nomination and acted accordingly.

I believe the White House, when working together with the Senate as a coequal branch of Government, will always be able to find a consensus nominee who will faithfully uphold the Constitution and represent the best of our justice system.

I think in the case of John Roberts, that was accomplished. This is one of several reasons I have decided to vote to confirm John Roberts as the next Chief Justice of the U.S. Supreme Court.

When President Bush nominated Mr. Roberts, I said then that I felt very strongly the Senate must fulfill its constitutional duty to learn as much about John Roberts' judicial record as possible, including his work over the past 2 years since he has been on the U.S. Court of Appeals for the DC Circuit.

The Supreme Court is the final arbiter of our liberties and freedom, and appointments for these gatekeepers are rare and pivotal. A Supreme Court Justice deserves a high threshold of review, and I think John Roberts was put to the test.

I applaud the Judiciary Committee for all of their hard work over the past few months and for the quality of last week's hearings. The quality of the questions and the ensuing debate were a testament to the important work the committee does and a testament to the valued leadership of Senator ARLEN SPECTER and Senator PATRICK LEAHY.

I had an opportunity to meet personally with John Roberts. He is someone with whom you can sit down and talk for hours about the law. He is genial and easy to get along with. He is a family man. While these are all wonderful qualities, it is not why I am voting for him.

I am voting for Mr. Roberts because he meets the criteria I have set out for judicial nominations, criteria I have used in assessing all judicial nominations that have come before this body.

When looking at the nomination of Mr. Roberts, I first asked: Does John Roberts have the qualifications or credentials to be a judge?

I think the answer to this question is obvious to anyone, and no one in this body will dispute it. Judge Roberts brings with him excellent credentials. He is a brilliant lawyer, and I was very impressed with his breadth of knowledge of the law. He has also, on multiple occasions, demonstrated a genuine understanding of the law.

I was also very impressed with his testimony before the Judiciary Committee. While some of my colleagues and I would have liked for Mr. Roberts to further explain some of his answers and positions, no one can dispute he has the ability to take this most prestigious post.

My second criteria: Will Mr. Roberts be of the right judicial temperament? As a lawyer who has argued in front of the U.S. Supreme Court 39 times, I believe Mr. Roberts has a high level of respect for the law, its institutions, and its traditions.

I am convinced, after spending time with Mr. Roberts, that he will conduct himself with the dignity befitting of a Supreme Court Justice and that he will lead the Federal judiciary with honor and integrity.

My third criteria: Will John Roberts be fair and impartial and not an activist? I want to believe the answer is yes.

I do not think it is any secret there are Members of this body, including myself, who were and still are in disagreement with some of President Reagan's domestic policies, especially pertaining to civil rights.

I, of course, was not in the Senate during the 1980s, and being a few years younger than Mr. Roberts, I was still in school when he was starting his legal career. I do not agree with many of the opinions Mr. Roberts expressed in his memos while serving in the Office of the U.S. Attorney General, but I can say that as a lawyer I have taken positions that were not my own but were my client's.

I can also say that time has a way of changing a man. It is my hope that after 20 years of gaining life experience, John Roberts has a better understanding and appreciation of how important civil rights protections are to the survival of this country and that he has moved away from some of his earlier writings.

There will be people in my home State of Arkansas who are going to be very pleased that I am voting for Mr. Roberts. I will also face constituents who will be disappointed. I am sure those constituents will ask: Senator PRYOR, how can you be sure? How can you be sure, without broader explanations from Mr. Roberts, or without more documents, that he will vote this way or that way on an issue?

My answer to that is twofold. First, I do not believe it is my duty as a Senator to confirm only judges I believe are going to vote the way I want them to 100 percent of the time. My duty as a Senator is to use my discretion to put the best jurist possible on the bench. I believe we have achieved that threshold with John Roberts.

Just as importantly, I would answer those critical of my decision to support Judge Roberts by saying, you can never be 100 percent sure.

I have chosen, based upon the evidence I have, based on my talks with John Roberts, based on his testimony, to put my faith in Judge Roberts.

I have chosen to believe him when he says he is not an ideologue. I have chosen to believe he will uphold the Constitution above all else and that he will not let politics or personal agenda get in the way of his job.

I am certain in the years that follow there will be times I laud Justice Roberts' opinions, and there will be times I will be disappointed in his rulings. But I am confident I will never be disappointed in his integrity, his temperament, or his ability to conduct himself as a man of the Court, not as a man of politics. Therefore, I once again state my intention to vote for Judge Roberts when his nomination comes to the floor.

Thank you, Mr. President. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SANTORUM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CORNYN). Without objection, it is so ordered.

(The remarks of Mr. SANTORUM pertaining to the introduction of S. 1750 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. SANTORUM. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

LOW-INCOME HOME ENERGY ASSISTANCE

Mr. REED. Mr. President, headlines across the Nation warn of an impending disaster facing American families this winter—rising energy prices that could wipe out working-class families and seniors. The New York Times reports:

Energy Prices Lead Inflation, Overcoming Salary Increases.

The Wall Street Journal states:

Soaring Natural-Gas Prices Point to Record-High Electricity Costs.

USA Today states:

Heating Prices Loom as Problems this Winter.

Prior to Hurricane Katrina's devastation in the gulf region, Americans were facing record prices for oil, natural gas, and propane. Hurricane Katrina exacerbated these costs by damaging production platforms and ports and curtailing production at refineries in the Gulf of Mexico. Now Hurricane Rita threatens further damage and, in turn, price increases. Natural gas prices are hitting all-time highs, and crude oil and gasoline prices are again on the rise.

Consumers are feeling the price increases at the pump. But with winter looming, the full effect of these costs has yet to hit us.

In New England, the average heating cost for a family using heating oil is projected to reach $1,666 during the upcoming winter. This represents an increase of $403 over last winter's prices and $714 over the winter heating season of 2003–2004, almost a $1,000 increase in 2 years.

For a family using natural gas in the Midwest, prices are projected to hit $1,568, representing an increase of $611 over last year's prices and $643 over the heating season of 2003–2004. The Mortgage Bankers Association expects steep energy costs could increase the number of missed payments and lost homes beginning later this year.

Yesterday, the State energy directors released a survey about the choices that LIHEAP households make when they face unaffordable energy bills. Of course, LIHEAP is the Low-Income Heating Assistance Program that we have authored and supported for many years in Congress. LIHEAP assists low-income Americans and seniors to ensure they can face these prices.

According to the survey by the State energy directors, 73 percent of the households surveyed reported they reduce expenses for other necessities because they do not have enough money to pay for their energy bills. These other necessities are food, prescription drugs, rent, or mortgage payments. In

fact, one in five LIHEAP households reported they went without food at least 1 day over the last 5 years due to unaffordable energy bills. Twenty-four percent used their stove or oven to provide heat because they could not fill the tanks to provide heat.

On Monday, I visited the home of Aram Ohanian, an 88-year-old veteran who lives in Rhode Island and whose monthly income consists of $779 in Social Security payments. Money is so tight that Mr. Ohanian sometimes eats at his daughter's house or goes to a local soup kitchen for food. He also gets help from a local food bank. Last year, Mr. Ohanian received a total of $600 in LIHEAP grants to help him keep his home safe and warm. But even with that assistance, he had to close off parts of his house to reduce energy costs.

In communities throughout this Nation, Mr. Ohanian's story repeats itself. The warning has been issued. We know that prices for energy products are on the rise. We can all foretell the next disaster facing American families. The question is, What will we do to protect these Americans from this upcoming energy storm?

We saw the most vulnerable Americans overwhelmed by rising waters in New Orleans. If we do nothing, we can see other vulnerable Americans overwhelmed by rising energy prices this winter.

First, Senator COLLINS and I, joined by 39 colleagues, are calling on the President and Congress to support $1.3 billion in emergency LIHEAP funding in the comprehensive supplemental appropriations package for Hurricane Katrina. This funding will provide our Nation's most vulnerable low-income families, seniors, and disabled individuals with affordable energy this winter. This is the additional funding—let me stress additional funding—needed for LIHEAP to maintain the purchasing power it had last year. This money is on top of the $3 billion we are seeking for the LIHEAP State grant program in the fiscal year 2006 Labor-HHS appropriations bill; the regular LIHEAP funding, if you will.

States are bracing for a crisis caused by the lack of affordable energy, and this funding will ensure low-income families and seniors have warm homes this winter.

Last year, a Rhode Islander receiving $400 in LIHEAP funds could buy approximately 235 gallons of heating oil, almost a full tank. At $2.60 a gallon, $400 will only buy about 150 gallons of oil, a little over half a tank, which might only last about 2½ weeks. And, indeed, the $2.60 price in Rhode Island is a hard price to find now from oil dealers.

Rhode Island's LIHEAP program estimates the State needs $21 million to serve the 27,000 households it helped last year. I urge all of my colleagues to join Senator COLLINS and me to support our efforts to secure $4.3 billion for LIHEAP funding this winter.

Second, we need to invest in energy efficiency. The Weatherization Assistance Program is vital to these efforts. The Weatherization Assistance Program has weatherized 5.3 million homes in the United States during its history, including 30,500 in my State of Rhode Island. The program, on average, saves families $274 per year and reduces heating bills by 31 percent. Rhode Island's program alone has saved the United States an equivalent of 43 days' worth of oil consumption, or an equivalent of 81 days of gas consumption over the course of the life of this program.

Now is the time to expand this and other energy efficiency programs to serve these families. This is one of those programs that benefits not only individuals of the family by keeping them warm, by saving them money, but collectively benefits this country because one of our great problems is our accelerating demand for energy which drives up prices. If we can control that demand, if we can be more efficient in the use of energy, we can go a long way to help moderate the prices of energy that we face.

In America—one of the wealthiest nations in the world—no family should have to choose between heating their home and putting food on the table for their child. No senior citizen should have to decide to either buy lifesaving prescription drugs or pay their electric bill. But, unfortunately, our Nation's most vulnerable households—working families, seniors living on fixed incomes, and disabled individuals—have to make those very choices.

Third, we need to pass Senator CANTWELL's Energy Emergency Consumer Protection Act, of which I am a cosponsor. The legislation would ban price gouging at the gas pump in the wake of natural disasters, such as Hurricane Katrina, and would empower Federal regulators to ensure greater market transparency and go after market manipulation of oil and gas prices on an everyday basis.

The administration also must begin to rethink its bankrupt energy policies. Reliable, affordable energy is critical to the social and economic well-being of our Nation. Total energy spending for the Nation this year will approach $1 trillion, 24 percent higher than in 2004. Energy will claim the biggest share of U.S. output since the end of the oil crisis 20 years ago. This is not good energy policy.

Americans deserve a better energy bill than the one President Bush signed this summer. They deserve an energy bill that raises fuel efficiency standards and provides for oil savings, an energy bill that invests valuable tax dollars—those currently being handed out unnecessarily to oil and gas companies—into the development of renewable fuels and energy efficiency.

Oil and natural gas companies are making record profits while energy prices are overcoming workers' salary increases. These companies do not need billions of dollars from the Federal Treasury.

The American public deserves greater accountability to ensure oil companies are not engaging in anticompetitive behavior, such as closing down refining capacity to drive up prices.

Hurricane Katrina demonstrated the economic, social, and racial divides that exist in America. As a nation, we must step back and reevaluate our priorities. Now is not the time to cut funding for or underfund social programs, such as LIHEAP, Medicaid, and food stamps, that support working families and seniors while the President proposes tax breaks for casinos, as the Washington Post reported this morning. We must prioritize, and the most vulnerable amongst us must be considered first.

Hurricane Katrina upset the lives of millions, displacing families from their homes and inflicting severe economic damage. The people of the gulf region deserve our continued support as they rebuild, and as Hurricane Rita threatens the gulf coast of Texas, we must also be prepared to help those Americans affected in its wake.

We cannot, however, forget the millions of Americans who struggle each day to make ends meet. They also deserve our support. I hope the President and the Congress will heed this warning and help build an energy safety net for all Americans beginning with adequate funding for LIHEAP, increasing investment in weatherization, passing sensible legislation such as the Cantwell bill, and revisiting our overall energy policy to make a stronger, more fair, and a more decent place for all of us.

Mr. President, I yield the floor. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DAYTON. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Minnesota is recognized.

Mr. DAYTON. I thank the Chair.

(The remarks of Mr. DAYTON pertaining to the introduction of S. 1756 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. DAYTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. OBAMA. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF JOHN ROBERTS

Mr. OBAMA. Mr. President, thank you very much.

First of all, let me congratulate Senator SPECTER and Senator LEAHY for moving the process of confirming the nomination of Judge Roberts along with such civility, a civility that I believe speaks well of the Senate.

Let me also say that I remain distressed that the White House during this confirmation process, which overall went smoothly, failed to provide critical documents as part of the record that could have provided us with a better basis to make our judgment with respect to the nomination. This White House continues to stymie efforts on the part of the Senate to do its job. I hope with the next nominee who comes up for the Supreme Court that the White House recognizes that in fact it is its duty not just to the Senate but to the American people to make sure we can thoroughly and adequately evaluate the record of every single nominee who comes before us.

Having said that, the decision with respect to Judge Roberts' nomination has not been an easy one for me to make. As some of you know, I have not only argued cases before appellate courts but for 10 years was a member of the University of Chicago Law School faculty and taught courses in constitutional law. Part of the culture of the University of Chicago Law School faculty is to maintain a sense of collegiality between those people who hold different views. What engenders respect is not the particular outcome that a legal scholar arrives at but, rather, the intellectual rigor and honesty with which he or she arrives at a decision.

Given that background, I am sorely tempted to vote for Judge Roberts based on my study of his résumé, his conduct during the hearings, and a conversation I had with him yesterday afternoon.

There is absolutely no doubt in my mind Judge Roberts is qualified to sit on the highest court in the land. Moreover, he seems to have the comportment and the temperament that makes for a good judge. He is humble, he is personally decent, and he appears to be respectful of different points of view. It is absolutely clear to me that Judge Roberts truly loves the law. He couldn't have achieved his excellent record as an advocate before the Supreme Court without that passion for the law, and it became apparent to me in our conversation that he does, in fact, deeply respect the basic precepts that go into deciding 95 percent of the cases that come before the Federal court—adherence to precedence, a certain modesty in reading statutes and constitutional text, a respect for procedural regularity, and an impartiality in presiding over the adversarial system. All of these characteristics make me want to vote for Judge Roberts.

The problem I face—a problem that has been voiced by some of my other colleagues, both those who are voting for Mr. Roberts and those who are voting against Mr. Roberts—is that while adherence to legal precedent and rules of statutory or constitutional construction will dispose of 95 percent of the cases that come before a court, so that both a Scalia and a Ginsburg will arrive at the same place most of the time on those 95 percent of the cases—what matters on the Supreme Court is those 5 percent of cases that are truly difficult. In those cases, adherence to precedent and rules of construction and interpretation will only get you through the 25th mile of the marathon. That last mile can only be determined on the basis of one's deepest values, one's core concerns, one's broader perspectives on how the world works, and the depth and breadth of one's empathy.

In those 5 percent of hard cases, the constitutional text will not be directly on point. The language of the statute will not be perfectly clear. Legal process alone will not lead you to a rule of decision. In those circumstances, your decisions about whether affirmative action is an appropriate response to the history of discrimination in this country or whether a general right of privacy encompasses a more specific right of women to control their reproductive decisions or whether the commerce clause empowers Congress to speak on those issues of broad national concern that may be only tangentially related to what is easily defined as interstate commerce, whether a person who is disabled has the right to be accommodated so they can work alongside those who are nondisabled—in those difficult cases, the critical ingredient is supplied by what is in the judge's heart.

I talked to Judge Roberts about this. Judge Roberts confessed that, unlike maybe professional politicians, it is not easy for him to talk about his values and his deeper feelings. That is not how he is trained. He did say he doesn't like bullies and has always viewed the law as a way of evening out the playing field between the strong and the weak.

I was impressed with that statement because I view the law in much the same way. The problem I had is that when I examined Judge Roberts' record and history of public service, it is my personal estimation that he has far more often used his formidable skills on behalf of the strong in opposition to the weak. In his work in the White House and the Solicitor General's Office, he seemed to have consistently sided with those who were dismissive of efforts to eradicate the remnants of racial discrimination in our political process. In these same positions, he seemed dismissive of the concerns that it is harder to make it in this world and in this economy when you are a woman rather than a man.

I want to take Judge Roberts at his word that he doesn't like bullies and he sees the law and the Court as a means of evening the playing field between the strong and the weak. But given the gravity of the position to which he will undoubtedly ascend and the gravity of the decisions in which he will undoubtedly participate during his tenure on the Court, I ultimately have to give more weight to his deeds and the overarching political philosophy that he appears to have shared with those in power than to the assuring words that he provided me in our meeting.

The bottom line is this: I will be voting against John Roberts' nomination. I do so with considerable reticence. I hope that I am wrong. I hope that this reticence on my part proves unjustified and that Judge Roberts will show himself to not only be an outstanding legal thinker but also someone who upholds the Court's historic role as a check on the majoritarian impulses of the executive branch and the legislative branch. I hope that he will recognize who the weak are and who the strong are in our society. I hope that his jurisprudence is one that stands up to the bullies of all ideological stripes.

Let me conclude with just one more comment about this confirmation process.

I was deeply disturbed by some statements that were made by largely Democratic advocacy groups when ranking member Senator LEAHY announced that he would support Judge Roberts. Although the scales have tipped in a different direction for me, I am deeply admiring of the work and the thought that Senator LEAHY has put into making his decision. The knee-jerk unbending and what I consider to be unfair attacks on Senator LEAHY's motives were unjustified. Unfortunately, both parties have fallen victim to this kind of pressure.

I believe every Senator on the other side of the aisle, if they were honest, would acknowledge that the same unyielding, unbending, dogmatic approach to judicial confirmation has in large part been responsible for the kind of poisonous atmosphere that exists in this Chamber regarding judicial nominations. It is tempting, then, for us on this side of the aisle to go tit for tat.

But what I would like to see is for all of us to recognize as we move forward to the next nominee that in fact the issues that are confronted by the Supreme Court are difficult issues. That is why they get up to the Supreme Court. The issues facing the Court are rarely black and white, and all advocacy groups who have a legitimate and profound interest in the decisions that are made by the Court should try to make certain that their advocacy reflects that complexity. These groups on the right and left should not resort to the sort of broad-brush dogmatic attacks that have hampered the process in the past and constrained each and every Senator in this Chamber from making sure that they are voting on the basis of their conscience.

Thank you very much, Mr. President. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. In my capacity as a Senator from the State of Texas, I ask unanimous consent that the order for the quorum call be rescinded.

Without objection, it is so ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. In my capacity as a Senator from the State of Texas, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 6:44 p.m., recessed subject to the call of the Chair and reassembled at 7:06 p.m. when called to order by the Presiding Officer (Mr. ALLEN).

The PRESIDING OFFICER. In my capacity as a Senator from the Commonwealth of Virginia, I suggest the absence of a quorum. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HURRICANE TAX RELIEF

Mr. FRIST. Mr. President, last night we cleared by unanimous consent the Grassley-Baucus Hurricane Tax Relief package.

In the wake of Hurricane Katrina—and with Hurricane Rita now bearing down—this legislation is sorely needed.

I want to thank Senator GRASSLEY, Senator BAUCUS and Senator LOTT for their hard work and leadership to get immediate assistance to the hurricane victims.

All of America is pulling together to support the people of Alabama, Louisiana, and Mississippi.

Since Hurricane Katrina devastated the Gulf Coast, Americans from all walks of life, from all across the country, have poured out their hearts to help.

In just 3 weeks, private citizens and businesses have donated hundreds of millions of dollars to assist in the relief and recovery effort.

Schools across the country are opening their doors to the thousands of displaced students.

Communities are taking up collections of blankets, clothes, toys, and food.

Families are literally opening their homes to shelter and comfort the survivors.

In the past three weeks, I've had the opportunity to see, firsthand, America's compassion at work.

In the first week after the hurricane hit, I traveled to the gulf to do volunteer medical work. I flew to the New Orleans airport and met up with medical colleagues I know from Vanderbilt and Boston.

Many had been so moved by the stories they saw and read in the news that they voluntarily organized themselves to head to the Gulf Coast to offer their help.

I met Knox County volunteers from my home State who had been flying helicopter missions for days.

I saw a constant stream of people pitching in, helping out, and providing spiritual and material comfort.

The bill we passed vitally supports and rewards this tremendous charity.

It recognizes that every sector of civic life is engaged in the massive recovery effort.

For example, families who are housing hurricane survivors will be eligible to receive a personal tax exemption of $500 for every Katrina victim they take in.

The bill encourages even more cash donations by waiving the income limits that are otherwise discouraging.

The Grassley-Baucus package also rewards contributions from the business sector.

Katrina is estimated to have swept away 400,000 jobs. Under this bill, companies that hire displaced workers are eligible to receive a Working Opportunity Tax Credit of up to $2400 per employee.

Hundreds of schools are also in desperate need of extra school books for the wave of displaced students coming through their doors.

Under this legislation, companies can receive an enhanced deduction for donating books until the new year. Food donations will also receive an enhanced deduction.

As another way to promote cash donations, the bill increases by 50 percent the amount of cash contributions a company can deduct.

The Grassley-Baucus package also offers help to the hurricane victims, themselves, in both time and money.

It allows families to dip into their retirement funds without penalty so that they can make ends meet while they struggle to regain their footing.

It also makes sure that if a mortgage company or credit card company, for example, decides to forgive a loan or a debt, there won't be any income tax due on that amount.

Another important provision of the bill is its extension of time.

All of these families need time to find a place to live, to get a job, to get back on their feet and rebuild their lives.

To help ease the pressure, people whose homes are located in the presidentially-declared disaster area will have up to 5 years to purchase new property.

Their tax filing deadline will be extended until February of next year.

These are only first steps. But they're important first steps that lift some of the pressure on these traumatized families.

I want to assure these good people that the United States Senate remains hard at work and focused on helping them recover. We are committed to the well being of our fellow citizens.

America is a family. And we pull together in times of need. And we will grow closer, stronger and more compassionate as we confront the challenges ahead.

PATRICIA LYNCH

Mr. REID. Mr. President, I rise to pay tribute to Patricia Lynch and to recognize the contributions of Ms. Lynch to the State of Nevada. Patricia Lynch was first elected Reno City Attorney in 1987 and is currently serving her fifth term. She is a tremendous asset to our community and Nation.

For the past 20 years Ms. Lynch has demonstrated a commitment to public service. She has performed countless hours of service to communities in northern Nevada and helped to coordinate and direct the efforts of local charitable organizations.

Patricia began her career in public service as a legislative assistant to Representative John E. Moss from 1975 to 1977 in the United States House of Representatives; she is a current member of the board of directors of the John E. Moss Foundation.

Patricia has also demonstrated unwavering commitment to protecting the rights of women. She is a founding member and 1993 president of Northern Nevada Women Lawyers Association. Her membership on Nevada statewide boards includes the Nevada Prosecution Advisory Council, Nevada Domestic Violence Prevention Council, and the Nevada Commission on Domestic Violence.

In addition to her local and civic contributions, Patricia has served as an ambassador for the United States within the international legal community. She is a member of the World Jurist Association, WJA, and has presented papers at WJA conferences in Kiev, Ukraine in 1998 and Budapest, Hungary in 1999. She has also served as the moderator for local government law panels at WJA conferences in Budapest, Hungary in 1999, Dublin, Ireland in 2001, and Adelaide, Australia in 2003. In January 2003, Patricia participated in hosting the City Planner from Kabul, Afghanistan in a tour of wastewater and drinking water facilities in Reno, NV.

I hope you will join with me in honoring the outstanding achievements of Patricia Lynch and the selfless life she chose.

THIRD ANNUAL CONGRESSIONAL CONFERENCE ON CIVIC EDUCATION

Mr. REID. Mr. President, Justice Louis Brandeis once said, ''The only title in our democracy superior to that of President is the title of citizen.'' This statement illustrates the paramount importance that the citizen plays within these United States. And, as such, we must continue to learn and teach what it means to be a good citizen.

''Civic education'' is the term used to describe the transmitting of knowledge

and skills necessary for people to become responsible citizens. And our democracy is sustained and strengthened when our citizens have these skills and tools. In fact, there is no more important or urgent task than preparing this and future generations of Americans to maintain our democracy.

To advance the continuing importance of civic education, I am pleased to announce that the Joint Leadership of the Congress of the United States will host the Third Annual Congressional Conference on Civic Education on September 24–26 here in Washington, DC.

The Congressional Conference on Civic Education will bring together educators and experts from all across the country who work to promote civic education and civic engagement at the state and local levels. I am pleased to serve as honorary host for the conference, along with Majority Leader FRIST, Speaker HASTERT, and Leader PELOSI.

The 2005 Congressional Conference on Civic Education will emphasize the state of civic education in America. In an effort to restore the civic mission of schools, each State is working on creating a plan to promote civic education and engagement. Conferees will work to build upon these foundations built by participants and State delegations from the past two conferences.

The Congressional Conference on Civic Education is the third of five annual conferences planned to focus public attention on the state of civic education in America's public schools. This conference is sponsored by the nonpartisan Alliance for Representative Democracy, and consists of the National Conference of State Legislatures, the Center on Congress at Indiana University and the Center for Civic Education. Through an act of Congress, the Alliance is funded by the Department of Education.

I am honored to recognize the work of the Nevada delegation. The Nevada Campaign for the Civic Mission of Schools is building on the previous success of the Nevada Commission on Participatory Democracy. The Nevada Campaign has completed a benchmark survey regarding the state of civic education in the State and is planning the First Nevada Civic Education Summit for this December. Thanks to the efforts of congressional conference delegate, Senator Valerie Wiener, a resolution was passed by the Nevada Legislature this year supporting efforts of the Nevada Department of Education in increasing the role of civics in the Nevada schools curriculum.

I find it particularly appropriate that the Congressional Conference on Civic Education convenes this week. Just last week, on September 17, we observed Constitution Day, celebrating the brilliance of our founding document and the essential role citizens play in our democracy.

I am sure that the congressional leadership joins me in expressing gratitude to the many educators and State delegations that make this conference possible. We thank them for their time and commitment to this important endeavor. We look forward to learning about their ideas and hearing of the progress made at next year's conference.

Among those delegates who are in Washington, DC, are the following, whose names I ask unanimous consent to have printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Alabama: Ms. Janice A. Cowin, State Facilitator; Ms. Rebecca Beaty, Executive Director, The American Village Citizenship Trust; Representative Priscilla Dunn, Alabama House of Representatives; Dr. Ethel Hall, Vice-President, Alabama State Board of Education; Dr. William P. Collins, Professor, Samford University.

Alaska: Ms. Mary Bristol, State Facilitator; Mr. Macon Roberts, Treasurer, Anchorage School Board; Dr. Carl F. N. Rose, Executive Director, Association of Alaska School Boards; Ms. Krista Scully, Pro Bono Director, Alaska Bar Association; Mr. David Baranow, Chair, Law Related Education Committee, Alaska Bar Association.

Arizona: Senator Tim Bee, State Facilitator, Majority Leader, Arizona Senate; Mrs. Lynda Rando, Assistant State Facilitator; Representative Mark Anderson, Arizona House of Representatives; Ms. Kathleen Williams, Retired Teacher, Mesa Schools; Senator Linda Gray, Arizona State Senate; Mr. Jeffrey Schrade, Director, LRE, Arizona Foundation for Legal Services & Education; Representative Jennifer Burns, Arizona House of Representatives.

Arkansas: Ms. Barbara Patty, State Facilitator; Representative Betty Pickett, Arkansas House of Representatives; Ms. Suzanne McPherson, Director of Special Programs, Van Buren School District; Mr. Frank Smith, Social Studies Supervisor, Pulaski County Schools; Ms. Margaret Herrick, Social Studies Specialist, Arkansas Department of Education.

California: Mr. Roy Erickson, State Facilitator; Mr. David W. Gordon, Sacramento County Superintendent of Schools; Mrs. Michelle Herczog, Consultant, Los Angeles County Office of Education; Mr. Todd Clark, Executive Director, Constitutional Rights Foundation. Dr. Darline Robles, Superintendent, Los Angeles County Office of Education; Mr. Gary K. Hart, Institute for Education Reform, California State University; Mr. Michael Hulsizer, Administrator, Kern County Superintendent of Schools; Mr. Michael Ricketts, Chief Consultant, California Assembly Committee on Education; Ms. Julie Sauls, Chief of Staff, Office of Assemblyman Kevin McCarthy; Dr. William Cirone, County Superintendent, Santa Barbara County.

Colorado: Ms. Barbara Miller, State Facilitator; Mrs. Maria Garcia-Berry, President, CRL Associates; Representative David Balmer, Colorado General Assembly; Senator Sue Windels, Colorado General Assembly; Ms. Jill Conrad, Director, Colorado Canopy; Dr. Jane Urschel, Associate Executive Director, Colorado Association of School Boards.

Connecticut: Dr. James Schmidt, State Facilitator; Ms. Sheila McKay, Government Relations, Connecticut Association of Boards of Education; Ms. Mary Skelly, Social Studies Coordinator, Vocational-Technical School System; Ms. Martha Press, Supervisor of Social Studies, Stratford Public Schools.

Delaware: Mr. Lewis Huffman, State Facilitator; Mr. Reginald Greenwald, Collette Educational Resource Center; Mr. Ed Freel, Director of Policy, University of Delaware, IPA; Mr. Fran O'Malley, Delaware Social Studies Education Project, University of Delaware.

District of Columbia: Ms. Deborah Foster, State Facilitator; Honorable Royce Lamberth, Judge, U.S. District Court; Doug Alexander, Newspapers in Education Coordinator, Washington Times; Ms. Carla Cartwright, Attorney, McKee, Nelson, LLP; Mr. John Cruden, President District of Columbia Bar Association; Ms. Jacquelyn Davis, Executive Director, New Leaders for New Schools.

Florida: Ms. Annette Boyd Pitts, State Facilitator; Honorable Barbara Pariente, Chief Justice, Supreme Court of Florida; Mr. John Doyle, Director, Division of Social Sciences, Dade County Public Schools; Ms. Dianne Wheatley Gilotti, President, Florida League of Women Voters; Ms. Levon Terrell, Social Studies Program Specialist, FL Dept. of Education; Honorable Peggy A. Quince, Justice, Supreme Court of Florida; Ms. Mary Chiles, Office of U.S. Senator Bill Nelson.

Georgia:

Ms. Mary Stakes, State Facilitator; Representative David Casas, Georgia House of Representatives; Dr. Bill Cranshaw, Social Studies Program Specialist; Mr. Eddie Bennett, Social Studies Supervisor, Cobb County Public Schools; Mr. William Cheeks, Businessman; Senator Daniel Weber, Georgia State Senate; Ms. Shalynda Warren, Regional Voting Education Coordinator.

Hawaii: Representative Lyla Berg, State Facilitator, Hawaii House of Representatives; Mr. Robert McClelland, Planning and Evaluation, Hawaii State Department of Education; Senator Norm Sakamoto, Hawaii State Senate Representative; Roy Takumi, Hawaii House of Representatives; Mr. Roger Takabayashi, President, Hawaii State Teacher's Association.

Idaho: Dr. Dan Prinzing, State Facilitator Justice; Linda Copple Trout, Idaho Supreme Court; Mrs. Parra Byron, Education Policy Advisor, Office of the Governor; Dr. Marilyn Howard, State Superintendent of Public Instruction; Ms. Linda Clark, Superintendent, Meridian Schools.

Illinois: Dr. Patton Feichter, State Facilitator; Dr. Darlene Ruscitti, Regional Superintendent, DuPage County Schools; Dr. Carolyn Pereira, Executive Director, Constitutional Rights Foundation Chicago; Dr. Steven Klein, State Coordinator, Law Related Education, Elgin School District; Representative Suzanne Bassi, Illinois House of Representatives; Representative William Davis, Illinois House of Representatives; Mr. Jesse Ruiz, Chairman, Illinois State Board of Education.

Indiana: Mr. Peter Bomberger, State Facilitator; Dr. John Patrick, Indiana University; Dr. Suellen Reed, Superintendent of Public Instruction, Indiana Department of Education; Senator Theresa Lubbers, Indiana State Senate; Representative Robert Behning, Indiana House of Representatives; Mr. Dennis Lee, Birmingham & McHale Law Firm; Ms. Jill Baisinger, Social Studies Coordinator, Indiana Department of Education.

Iowa: Mr. Jason Follett, State Facilitator; Senator Paul McKinley, Iowa State Senator; Ms. Dianne Bystrom, Iowa State University.

Kansas: Ms. Lynn Stanley, State Facilitator; Mr. Paul Stuewe, Teacher, Lawrence High School; Dr. Dan C. Yunk, CEO, Kansas Fann Bureau; Mr. Rick Reed, Educator, McPherson High School; Dr. Randall Watson, Superintendent, McPherson School District; Senator Roger Retiz, Kansas State Senate.

Kentucky: Dr. Deborah Williamson, State Facilitator; Honorable Trey Grayson, Secretary of State of Kentucky; Ms. Natalie

Stiglitz, Social Studies Coordinator, Kentucky Department of Education; Ms. Robin Chandler, Branch Manager, Kentucky Department of Education; Representative Tanya Pullin, Kentucky House of Representatives; Ms. Polly Page, Northern Kentucky University; Senator Jack Westwood, Kentucky State Senate.

Louisiana: Ms. Maria Yiannopoulos, State Facilitator; Senator Gerald Theunissen, Louisiana Senate; Mr. E. Wade Shows, Attorney at Law.

Maine: Mr. Patrick Phillips, State Facilitator; Kala Clark, Legislative Youth Advisory Board; Kathryn Hunt, University of Maine; Theodore Sharp, Superintendent of Schools, Gorham, ME; Representative Stephen Bowen, Maine House of Representatives.

Maryland: Ms. Marcie Taylor-Thoma, State Facilitator; Ms. Sharon Cox, President, Montgomery County Board of Education; Delegate David Rudolph, Maryland House of Delegates; Mrs. Julie Ayers, Student Learning Specialist, Maryland State Department of Education; Senator Gwendolyn Britt, Maryland General Assembly.

Massachusetts: Ms. Diane Palmer, State Facilitator; Senator Richard T. Moore, Massachusetts Senate; Mr. Sheldon Berman, Superintendent, Hudson Public Schools; Ms. Susan Wheltle, Director, Office for the Humanities, Massachusetts Department of Education; Mr. Roger Desrosiers, Social Studies Teacher, Millbury High; School Representative Michael Rush, Massachusetts House of Representatives.

Michigan: Ms. Linda Start, State Facilitator; Mr. Chris Siebenmark, Office of Senator Ron Jelinek; Mrs. Kathleen Straus, President, State Board of Education; Representative Hoon-Yung Hopgood, Michigan House of Representatives.

Minnesota: Ms. Jennifer Bloom, State Facilitator; Ms. Juanita Peterson, 1st Vice President, League of Women Voters Minnesota; Ms. Dana Carmichael, Minneapolis Public Schools; Senator Jim Greenwalt, Minnesota State Senate; Mr. Richard Theisen, Past President, National Council for the Social Studies.

Mississippi: Dr. Susie Burroughs, State Facilitator; Ms. Judith Couey, Curriculum Director, Mississippi Department of Education; Dee Chambliss, Assistant Secretary of State for Education & Publications.

Missouri: Ms. Millie Aulbur, State Facilitator; Ms. Leslye Winslow, Deputy Secretary of State for Elections, Office of the Secretary of State; Mr. Stan Johnson, Missouri Department of Elementary and Secondary Education; Senator Gary Nodler, Missouri General Assembly; Ms. Melissa Randol, Associate Executive Director of Law, Missouri School Boards Association; Representative Danielle Moore, Missouri House of Representatives.

Montana: Dr. Bruce Wendt, State Facilitator; Senator Sam Kitzenberg, Montana Senate; Ms. Brenda Wahler, Attorney, State of Montana Child and Family Services; Representative Gary Branae, Montana House of Representatives; Honorable Linda McCulloch, State Superintendent of Education; Honorable Brad Johnson, Montana Secretary of State.

Nebraska: Mr. Mitch McCartney, State Facilitator; Senator DiAnna Schimek, Member, Nebraska Unicameral Legislature; Joe Rowson, Assistant Vice President, University of Nebraska; Mr. Ken Meyers, 9th Grade Social Studies Teacher, Wilcox-Hildreth High School; Mr. Larry K. Starr, Director of Social Science Education, Nebraska Department of Education; Ms. Doris Huffman, Nebraska State Bar Foundation.

Nevada: Ms. Judith Simpson, State Facilitator; Senator Valerie Wiener, Nevada State Senate; Assemblywoman Bonnie Parnell, Nevada Assembly; Mr. Steve George, Public Information Officer, Office of the Secretary of State; Dr. Keith Rheault, Nevada Superintendent of Schools.

New Hampshire: Mr. Mica B. Stark, New Hampshire Institute of Politics, State Facilitator; Ms. Debby Scire, Executive director, Campus Compact, New Hampshire; Mr. Kenneth Relihan, Social Studies Consultant, New Hampshire Department of Education; Ms. Debra Hamel, New Hampshire State Board of Education.

New Jersey: Ms. Arlene Gardner, State Facilitator; Ms. Debra Casha, Vice President, New Jersey State Board of Education; Mr. Phillip Brown, Center for Character Education at Rutgers; Mr. Ramon De La Cruz, Director, Division of Elections, Office of the Attorney General; Assemblyman Craig A. Stanley, New Jersey General Assembly.

New Mexico: Ms. Dora Marroquin, State Facilitator, Secretary Rebecca Vigil-Giron, New Mexico Secretary of State; Patricia Concannon, Social Studies Consultant, New Mexico Department of Education; Ms. Jennifer MacDonald, Curriculum Director; Representative; Teresa Zanetti, New Mexico House of Representatives; Ms. Leah Gutierrez Wier Instructional Manager, Albuquerque Public Schools.

New York: Dr. Stephen Schechter, State Facilitator; Ms. Rita Lashway, Deputy Executive Director, New York State School Boards Association; Dr. John Bierwirth, Superintendent, Herricks Union Free School District; Mr. Carl Onken, President Elect, New York State School Boards Association; Ms. Deborah Shayo, Director, Law, Youth & Citizenship Program, New York State Bar Assn.; Mr. Timothy Backus, Supervisor, Social Studies, South Colonie Central School District.

North Carolina: Ms. Kelley O'Brien, State Facilitator; Representative Susan Fisher, North Carolina House of Representatives; Representative Rick Glazier, North Carolina House of Representatives; Ms. Margot Christensen, North Carolina League of Municipalities; Ms. Mollie Henderson, Social Studies Consultant, North Carolina Department of Public Instruction; Ms. Sandra Cook, Newspapers in Education, NC Press Foundation.

North Dakota: Dr. Phil Harmeson, Co-State Facilitator; Senator Ray Holmberg, Co-State Facilitator, North Dakota Senate; Honorable Wayne Stenehjem, Attorney General, State of North Dakota; Mr. Neil Howe, Director, Division of Independent Study; Representative Rae Ann Kelsch, North Dakota House of Representatives; Honorable Mary Maring, Justice, North Dakota Supreme Court.

Ohio: Mr. Jared Reitz, State Facilitator; Ms. Linda Petz, Consultant for Social Studies, Stark Educational Service Center; Representative Dixie Allen, Ohio House of Representatives; Mr. Frank Underwood, Special Projects and Initiatives, Ohio Community Service Council; Ms. Lisa Duty, Education Consultant, Ohio Department of Education; Ms. Patricia Allen Day, Executive Director, Secondary Education, Dayton Public Schools.

Oklahoma: Ms. Lisa Pryor, State Facilitator; Representative Gary Banz, Oklahoma House of Representatives; Ms. Gina Wekke, Campus Compact/Academic Affairs, OK State Regents for Higher Education; Representative Bill Nations, Oklahoma House of Representatives; Dr. Teena Nations, Director, Professional Development, OK Commission on Teacher Preparation; Ms. Jean Hendrickson, Executive Director, Oklahoma A+ Schools.

Oregon: Ms. Barbara Rost, State Facilitator; Ms. Marilyn Cover, Executive Director, Classroom Law Project; Representative Linda Flores, Oregon House of Representatives; Ms. Kathleen Cornett, Oregon Community Foundation; Ms. Cynthia Guyer, Executive Director, Portland Schools Foundation.

Pennsylvania: Ms. Stephanie McKissic, State Facilitator; Ms. Sue Perrotty, Chief of Staff, First Lady of Pennsylvania; Representative Dwight Evans, Pennsylvania House of Representatives; Ms. Sabrina Holloway, Office of Representative Dwight Evans; Mr. Jeffrey Zeiders, Pennsylvania Department of Education; David Trevaskis, Executive Director LEAP Kids PA.

Rhode Island: Mr. Michael Trofi, State Facilitator; Mr. James Parisi, Rhode Island Federation of Teachers & Health Professionals; Representative Edwin Pacheco, Rhode Island General Assembly; Senator Juan Pichardo, Rhode Island General Assembly; Representative Hanna Gallo, Rhode Island General Assembly.

South Carolina: Ms. Beth DeHart, South Carolina Bar Association; Mr. James Bryan, Social Studies Coordinator; Senator Robert Hayes, South Carolina State Senate; Dr. Paul Home, Director of Curriculum and Program Review, Education Oversight Committee; Mr. Matthew Gates, Staff Attorney SC House of Representatives; Senator John W. Matthews, South Carolina State Senate.

South Dakota: Dr. John Lyons, State Facilitator; Representative Gerald Lange, South Dakota House of Representatives; Mrs. Glena Fouberg, President, State Board of Education; Representative Keri Weems, South Dakota House of Representatives; Ms. Patty Pearson, Executive Director, Kids Voting South Dakota.

Tennessee: Ms. Janis Kyser, State Facilitator; Dr. Ashley Smith, President, Tennessee Association of Middle Schools; Mr. Bruce Opie, Legislative Liaison, Tennessee Department of Education; Mr. Al Mance, Executive Director, Tennessee Education Association; Ms. Brenda Ables, Social Studies Specialist, Tennessee Department of Education.

Texas: Mrs. Jan Miller, State Facilitator; Ms. Patricia Ann Hardy, Texas State Board of Education; Mr. George Rislov, Managing Director, Curriculum Development, Texas Education Agency; Ms. Michelle Ungurait, Director of Social Studies, Curriculum Division, Texas Education Agency; Ms. Mary Lee Webeck, Assistant Professor, University of Texas at Austin.

Utah: Ms. Kathy Dryer, State Facilitator; Representative LaVar Christensen, Utah House of Representatives; Judge Judith Billings, Utah Court of Appeals; Mr. Ed Dalton, Member, Utah State Board of Education; Senator Karen Hale, Utah State Senate; Mr. Alan Griffin, Civic, Character and Service-Learning Specialist, Utah State Office of Education.

Vermont: Vee Gordon, State Facilitator; Secretary Deborah L. Markowitz, Secretary of State; Mr. Robert Paolini, Executive Director, Vermont Bar Association; Ms. Janel Johnson, Civic Education Coordinator, Office of the Secretary of State, State of Vermont; Senator Donald Collins, Vermont State Senate; Mr. William Corrow, Vice-Chairman, Vermont Board of Education; Representative Kathy Lavoie, Vermont House of Representatives; Margaret Sanchez, The Vermont Youth Engagement Coalition; Mr. Kevin Ryan, Director of Education and Communication, Vermont Bar Association.

Virginia: Dr. Barbara Parry, Co State Facilitator; Dr. Steve Bragaw, Co State Facilitator; Ms. Beverly Thurston, Specialist-History, Social Sciences, Virginia Department of Education; Delegate James Dillard, Virginia General Assembly.

Washington: Mrs. Kathy Hand, State Facilitator; Mr. Steve Mullin, President,

Washington Roundtable; Representative David Upthegrove, Washington House of Representatives; Representative Dave Quall, Washington House of Representatives; Dr. Robert Butts, Assistant Superintendent, Office of the Superintendent of Public Instruction.

West Virginia: Mrs. Priscilla Haden, State Facilitator, Member, State Board of Education; Delegate Tom Campbell, West Virginia House of Delegates; Mr. Ben Beakes, Chief of Staff, West Virginia Secretary of State; Mr. Bill Thomas, West Virginia Legislative Reference and Information Center; Ms. Regina Scotchie, Social Studies Coordinator, West Virginia Department of Education.

Wisconsin: Ms. Dee Runaas, State Facilitator; Dr. Diana Hess, Assistant Professor, University of Wisconsin; Honorable Elizabeth A. Burmaster, State Superintendent; Senator Luther Olsen, Wisconsin State Senate; Dr. Richard Grobschmidt, Assistant State Superintendent, Department of Public Instruction; Lindsey Draper, Milwaukee County Children's Court; Senator Robert Jauch, Wisconsin State Senate; Ms. Beth Ratway, Social Studies Consultant, Department of Public Instruction.

Wyoming: Mr. Matt Strannigan, State Facilitator; Ms. Wendy Madsen, Legislative Information Officer, Wyoming Legislature; Senator Mike Massie, Wyoming State Senate; Mr. Geoff O'Gara, Member, Member, Wyoming State Board of Education; Representative Rosie Berger, Wyoming House of Representatives; Ms. Kristi Wallin, Coordinator, Wyoming Partnership for Civic Education.

SAMOYEDS STRUT STUFF IN OWENSBORO

Mr. MCCONNELL. Mr. President, it was President Harry Truman who observed, half a century ago, that ''if you want a friend in Washington, get a dog.'' That is perhaps a little harsh. Nevertheless, I note that many of my colleagues in the Congress are dog fanciers, and the Senate is a strikingly dog-friendly workplace. So it is fitting that we pay tribute to a renowned people-friendly breed of dog: the Samoyed. Legendary for their beauty, friendly spirit and heroic and historic treks to the North and South Poles, Samoyeds pulled the adventurers of yesteryear to new frontiers.

Several hundred Samoyeds and their humans will be pulling into Owensboro, KY, in October for the Samoyed Club of America's ''Simply Southern'' National Specialty. While I am pleased that these noble dogs and their guardians will be visiting the Commonwealth, it is, sadly, because of Hurricane Katrina's devastation in Biloxi, MS, where the event was originally scheduled to be held. So the SCA Specialty this year is a hurricane evacuee, but in addition to contributing over $10,000 from show proceeds to animal rescue in the devastated region, the organizers look forward to going back to a rebuilt and newly vibrant gulf coast in the future.

Samoyed dogs were named for the semi nomadic tribe which developed the breed. Living along the shores of the Arctic Ocean, north of Russia and Siberia, they were one of the earliest tribes of Central Asia. They depended upon their dogs to herd reindeer, protect against wolves, hunt bears, and even keep the children warm as they slept. Their endurance and intelligence made the Samoyed dogs prized members of early European expeditions to the Arctic and Antarctic. Borchgrevink, Amundsen, and Shackleton in the Antarctic, and Nansen and Abruzzi in the Arctic, counted on Samoyeds to explore the extreme and then uncharted ends of the Earth. The American explorers Fiala and Baldwin also used Samoyed sled teams. Most of the Samoyeds in England and the United States today are related to sled dogs from those expeditions.

Among them was Rex of White Way, who was renown as the lead dog on the U.S. Mail sled team that used to run the 64-mile mail delivery route from Ashton, ID, to West Yellowstone, over the 7000-foot Targhee Pass. Rex was a superb canine athlete and hero. He even learned to parachute on rescue missions that retrieved survivors of airplane crashes and a snowbound train in the Sierra Nevada Mountains. Although Samoyeds are a medium-sized dog ranging in weight from 35–65 pounds, they are very strong. Rex of White Way broke the world weight-pull record in 1953 by pulling 1,870 pounds.

Samoyeds have been described as ''by nature . . . not a quarrelsome dog though he will stand his ground for what he feels are his rights. Each Samoyed is an individual, even from one litter. One will be very attentive and obedient while another may be more headstrong and less demanding of affection as long as he knows the house is his castle when he wants it and he owns you.''

One may detect in that description some symmetry with Senators.

The description goes on: He has a keen sense of knowing when you are happy, sad, who really loves him, just tolerates him, dislikes him and he will return his love accordingly. He is a 'talky' dog and with encouragement will voice his pleasures and his dislikes. Some enjoy jokes and ham it up when laughed at while others resent it. He will speak with his paw or nose.

Samoyeds today are still pulling sleds. They are also skijoring, pulling scooters, herding, excelling in agility and obedience trials and otherwise exemplify the ''Working'' class of dogs. As therapy dogs, they bring joy and comfort to people in nursing homes and hospitals. Indeed, at least one Samoyed therapy dog that I know of, Gidget (Salish's Potomac Fervour), recently visited Hurricane Katrina evacuees from Gulfport, MS, who are currently residing at the Armed Forces Retirement Home here in Washington. She teams up with another Samoyed, Samantha, in regular visits with children at Inova Fairfax Hospital in northern Virginia. So these are not just beautiful dogs, they are hard-working dogs, doing great work for many people around the country.

On October 24, hundreds of Samoyeds, with their humans in tow, literally as they are prone to pull, will arrive in Owensboro. For some it will have been a harrowing journey since Hurricane Katrina roared ashore. Sheila and Walter Herrmann, cochairs of the event and residents of Covington, LA, described their hurricane experience: Walter and I were hunkered down for the storm watching tree after tree fall and a tornado touch down and make a disaster of our kennels (the dogs, our own as well as the boarders were safely crated in the safest portion of our house) talking about the national is what helped us get through it.

Others involved in beating the odds and making this event happen include: Pam Barbe, Karen Brooks, Diane Dotson, Peggy Green, and Laurie Stone. I would also like to thank Jim and Celinda Cheskawich for all their good work.

Mr. President, Kentucky and I extend a warm welcome to the Samoyed Club of America's 2005 ''Simply Southern'' National Specialty.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On January 16, 2005, a man was attacked with broken glass bottles by two men outside his home in Manhattan, NY. The apparent motivation for the attack was the man's sexual orientation.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

NOMINATION OF JOHN ROBERTS

Mr. NELSON of Nebraska. Mr. President, with the Judiciary Committee's confirmation hearings all but complete, I rise today to announce my vote on the nomination of Judge John Roberts to serve as the 17th Chief Justice and the 116th Justice of the United States Supreme Court.

I have come to my decision not in haste, but with great care and consideration. Over the history of our Nation, relatively few Senators have had the opportunity to consider the nomination of a Chief Justice and I recognize the honor that accompanies this great responsibility.

Judge Roberts is an extremely well qualified nominee. Some have said he

may be the best nominee ever to the Supreme Court. I am not one that regularly calls on such hyperbole on most issues, but I can say today that from what I have seen, I expect Judge Roberts to serve with distinction and honor as Chief Justice. I think the Court will be enhanced despite the obvious and measurable impact of the loss to the Court of Chief Justice William Rehnquist.

My record on judicial nominations speaks for itself. I have supported 213 of the 214 district and circuit court judges confirmed by the Senate. I voted against filibustering judicial nominees twenty-four times. I understand the executive branch's power to appoint judges—as Nebraska's Governor I appointed the entire State Supreme Court and Court of Appeals and more than half the State's sitting judges.

As a Senator who pledged to put aside the partisan games to get things done in Washington, I was very concerned last year about how a potential Senate shutdown due to a stalemate over judicial nominations would impact legislation important to the Nation, and especially my home State of Nebraska.

We needed a national energy policy—including the renewable fuels standard that would boost ethanol production, a very strong Nebraska industry. We needed to complete the Highway bill—with $1.3 billion in road construction funds that will create jobs and boost the economy in Nebraska. We needed to avoid the now annual ''omnibus'' spending bill that made it nearly impossible to monitor and control Washington spending. Social Security and Medicare need to be addressed. At the time I was concerned about the ongoing drought—''Drought David'' as I called it to bring attention to it—that is ravaging our agricultural sector in Nebraska and across the Nation. We had no idea the wrath and destruction that Hurricane season would bring to bear on the Nation, but after Katrina we can see how important it is to have a functioning Congress.

Senator ALEXANDER, during a floor speech regarding the judicial stalemate offered a suggestion, a call really, that many of us heard and decided to heed. Surely, a bipartisan group of Senators could develop an agreement that would resolve the stalled judicial nominations and diffuse the nuclear option—and ultimately, ease some of the partisan tension that had crippled the Senate and threatened to shut it down completely.

I am very proud of my role in the so-called ''gang of fourteen,'' the bipartisan group that navigated the path to confirmation for many of the President's judicial nominees and preserved the precedents and traditions of the Senate. I am also very proud that the gang's ''memorandum of understanding'' paved the way to complete many of the legislative priorities I mentioned earlier—including the energy bill and the highway bill.

The ''memorandum of understanding'' included an important section asking the President to improve communications with the Senate on judicial nominees. We asked that he spend more time on the advice part of the ''advice and consent'' clause in the Constitution.

When Associate Justice Sandra Day O'Connor announced her planned retirement in June, the White House heeded our recommendation and consulted with a vast majority of Senators before nominating Judge Roberts to the Court. That consultation with the Senate certainly diffused some of the more extreme partisanship when the Roberts nomination was announced. Not all of it, of course, but some of it.

Before the Judiciary Committee began its process, I met personally with Judge Roberts. In that meeting he impressed me. We talked at length about judicial activism and the threat it poses to the Nation. We talked about settled law. His knowledge of the history of law was impressive. His belief in and dedication to the rule of law was apparent and admirable.

At the outset of the Roberts confirmation process, I said that I hoped the gang of fourteen had no role in the process because that would mean the process was working. And it did work.

The Roberts confirmation hearings were dignified, the questions were tough but appropriate, and the answers Judge Roberts provided were as most expected. The hearings were no place to overturn law or discuss case specifics. The hearings did not produce any disqualifying revelations, nor did I expect that to happen.

Only time will tell where Judge Roberts will come down on the prevailing legal matters that come before the Roberts Court. I can only take him at his word that he will approach his role on the Court without a predetermined agenda, without activism, and with only the intention to balance the scales of justice for all Americans.

What came though to me as I watched his confirmation hearings was a man with great poise, a deep and thorough knowledge of the law, a love for this country and unmatched integrity. John Roberts is a man deserving of the nomination and deserving of confirmation.

I will vote to confirm Judge John Roberts as Chief Justice of the Supreme Court.

DEDICATION OF THE STATUE OF PO'PAY

Mr. DOMENICI. Mr. President, this is a special day for New Mexicans. Earlier today, Congress accepted the statue of Po'pay, a man from San Juan Pueblo who played an important role in New Mexico's colonial history. The acceptance of this work marks the 100th contribution to the Statuary Hall Collection. On behalf of my home State, I give special recognition to sculptor Cliff Fragua, from Jemez Pueblo, for a job well done. He should be proud of his work. Cliff is the first American Indian artist to sculpt a statue for the Statuary Hall Collection. I also thank the New Mexico Statuary Hall Commission and Foundation for all their dedication and tireless effort in making this endeavor a terrific success.

New Mexico's first statue in the collection is that of the late Senator Dennis Chavez. Unlike Senator Chavez, Po'pay was a leader of a different era. Po'pay was a leader among the Pueblo people during the latter part of the 17th century. He united the Pueblos and led the Pueblo Revolt of 1680. This revolt made apparent the Pueblo Indians' desire to maintain their dignity and culture—both socially and spiritually. The Po'pay-led insurrection against the Spanish conquerors was at its core a basic human and American need to challenge oppressors. Yes, there have been incidences of intolerance in our State's more than 400-year history. Those early days were hard and oftentimes brutal. Wrongs were done, and the Pueblo Revolt—represented with this statue—was the Native peoples' response to those hardships.

In the end, the Pueblo Revolt served as an important lesson for the Spaniards, who returned to New Mexico a dozen years later. The Pueblo Revolt forever shaped the history of the State of New Mexico and the American Southwest. The result of that uprising is still evident today as the Pueblo Indians continue to live a distinct lifestyle. The Pueblo culture of New Mexico draws visitors from around the world. The American people should take the time to visit and enjoy these ancient cultures that are alive today. Their lives give our State its name: ''The Land of Enchantment.''

My own life has been made richer by my many Indian friends. My lifelong friend, Herman Agoyo, and his beautiful family are with us today. As well noted in the history of this event, Herman's leadership has been inspiring and tireless. Herman leads the Turtle Dance at San Juan Pueblo on December 26 of each year. This year, Herman and San Juan Pueblo Governor Garcia will have a special reason to celebrate this beautiful event. This is the year of Po'pay—from San Juan Pueblo—who is now honored here in our Nation's Capitol.

Today's Indian Pueblos are a cultural haven from ancient times. However, for all New Mexicans who came after, the revolt taught us an enduring lesson of tolerance and acceptance. It is this lesson that has resulted in New Mexico having one of the best and richest multicultural societies in the United States. As my friend Benny Atencio, of Santo Domingo Pueblo, observed:

> I strongly feel that the selection of Po'pay to be placed in the nation's Statuary Hall along with that of the late Senator Dennis Chavez, who was my personal friend, would serve as a unique reminder to the world that two unique cultures can coexist without destruction of their traditional cultural values and beliefs.

I could not have stated it better.

Mr. BINGAMAN. Mr. President, I rise today to honor Po'pay, a man who through his life and philosophy inspired New Mexicans to unite and share their experiences of life, happiness, and customs, with a marble statue sculpted by Cliff Fragua of Jemez Pueblo. It will be the one-hundredth statue to be added to the National Statuary Hall collection. The statue of this remarkable leader of the Pueblo Revolt of 1680, is a gift from the State of New Mexico and was unveiled in the United States Capitol Rotunda today.

Po'pay was born in Ohkay Owingeh, San Juan Pueblo, in 1630. He was a deeply humble man, with deep respect for his Pueblo's culture, language, traditions, and customs, and a dedication to passing these things on to future generations.

During the seventeenth century the Pueblo way of life was seriously threatened. Some did not want the Pueblo people to practice their language, culture, or traditions, depriving them of their very core. Po'pay successfully united the separate Pueblo nations. This group of some 150 Pueblo leaders united against those who sought to destroy their way of life and prevailed. Po'pay led this great revolt and the fight for respect the Pueblo people deserved.

Through his devotion and commitment to the preservation of Pueblo culture, Po'pay played an irreplaceable role in helping to shape our Nation's future. By championing the customs and traditional ways of his ancestors, he strengthened and preserved the Pueblo heritage for future generations, bridging the rich Pueblo and Spanish cultures of the Southwest. His dedication to this cause in response to the challenges the Pueblo community faced is a testament to the spirit of New Mexico.

This statue will forever be a reminder of his leadership and courage in keeping the Pueblo culture alive. The statue of Po'pay will join the figure of the late Senator Dennis Chavez that stands proudly outside the doors of the old Senate Chambers. It is a privilege for New Mexico to be represented by two men with such vision, leadership, and courage.

The decision to honor Po'pay was brought to the foreground during the tercentennial commemoration of the Pueblo Revolt by a unified group of Pueblo leaders. Thanks to their leadership, in November of 1996 the tribal council of Ohkay Owingeh, San Juan Pueblo, made the nomination official with a resolution. In 1997, State Senator Manny Aragon and Representative Nick Salazar introduced Senate Bill 404, which was passed and signed by Governor Gary Johnson on April 10. The nine member Statuary Hall Commission was formed and the fundraising began. Cliff Fragua of Jemez Pueblo was selected to create the statue, and by May of 2005 the block of Tennessee Marble took the form of Po'pay. Thanks to the vision of many Pueblo leaders, the New Mexico Statuary Hall Commission and Foundation, and New Mexico's citizens, Po'pay shall forever be honored in the halls of the United Stated Capitol.

We honor and respect Po'pay's accomplishments as the man who made it possible for Pueblo culture to thrive and sustain itself. Po'pay's contributions made New Mexico what it is today, a multicultural State, rich in culture and spirit.

HISPANIC HERITAGE MONTH

Mrs. FEINSTEIN. Mr. President, I rise to pay tribute to the Hispanic community. As we commemorate Hispanic Heritage Month, I want to recognize the contributions made by millions of Hispanics to our Nation. The greatness of California is that it is truly a multicultural State and I am honored to represent California's Hispanic community in the U.S. Senate.

This month we celebrate a community that believes in the American goals of freedom, opportunity, and a chance to build a better life. In pursuing these aspirations, Hispanics have made enormous contributions to life in the United States through business, politics, science, culture, sports, and entertainment. Hispanics have served in the armed services with bravery and courage and many have made the ultimate sacrifice in giving their lives for the common good of our country. Through their service, they have brought honor to America and their Hispanic heritage—a rich heritage from which all of America benefits.

Today, I rise to honor the sacrifices that these brave Americans and their families have made. I also want to honor Hispanic heroes and heroines, such as the late Cesar Chavez. Indeed, Hispanics are changing the way America looks at itself. Today there are 31 million Hispanics in the U.S. By 2050, our Nation's Hispanic population is projected to reach 96 million—an increase of more than 200 percent.

Hispanics are making their mark; between 1984 and 1998 Hispanic voting increased nationwide in midterm elections by 27 percent, even as overall voter turnout declined by 13 percent. In my own State of California, where nearly 11.5 million Hispanics comprise over 32 percent of the population, Hispanics are participating and contributing to civic life in important ways. Two of the California State legislature's three highest offices are occupied by Hispanics: Lt. Gov. Cruz Bustamante and Speaker of the Assembly Fabian Nuñez. On the local level, the people of Los Angeles elected Antonio Villaraigosa as the first Hispanic mayor in over a century, and 20 percent of Los Angeles' city council seats are held by Hispanics. The Hispanic community has provided great leadership for California, and will provide important leadership for our country.

Hispanics are visibly successful in other areas as well. From Sammy Sosa in sports to Jennifer Lopez, Andy Garcia, and Salma Hayek in the entertainment industry, Hispanics have added greatly to the fabric of our Nation.

We must not forget the critical contributions Hispanics have made to education and science. The 1995 Nobel Prize Winner in Chemistry, Dr. Mario Molina, joined the University of California, San Diego last year, and Dr. Eduardo Macagno is the founding dean of the Division of Biological Sciences at the same University.

A democratic and prosperous society should not step back from a national commitment to provide assistance to those who strive to achieve the American dream, despite the odds. In particular, I want to emphasize the importance of quality education for the success of Hispanic children. The University of California system alone enrolled nearly 25,000 Hispanic undergraduate and graduate students last year. Hispanic youths are a great source of strength and hope for the future of this Nation and they should be able to participate fully in the American experience; that is the primary reason why I have been a strong supporter of the DREAM Act.

Mr. President, I am proud to honor California's Hispanic community and to have the opportunity to ensure that Hispanic contributions and sacrifices do not go unnoticed.

ADDITIONAL STATEMENTS

HONORING SHERI GARMON

• Mr. CRAPO. Mr. President, it is with a heavy heart that I wish to announce the death of Sheri Garmon, one of many Idahoans who have died from cancer that was likely attributable to nuclear fallout.

Like others, Sheri spent time and energy bringing awareness of this issue as it related to Idaho. However, Sheri, who was fighting multiple cancers, became a charismatic spokesperson for those suffering from the same fate.

Sheri Garmon, daughter of Don and Millie Garmon, was born in Emmett, ID, in 1952. When Sheri was just a baby, just 6 months old, the National Cancer Institute estimates that on a single day, June 5, 1952, she received 75 rads of iodine-131. That is the equivalent of 10,000 chest X-rays. The exposure came from nuclear testing being done in the Nevada desert; fallout blew over the little valley where Emmett sits. From that day on, Sheri's ultimate fate was sealed. But no one knew then what we know now. Sheri grew up healthy and strong, out there on her family's dairy farm, drinking milk from their cows, eating vegetables and fruits from their garden. She graduated valedictorian of her high school class, and then went on to graduate from the University of Idaho. She became a CPA and a mother. Sheri used her education as a way to provide for her family and pave the way for future achievement for those

who knew her. She was always involved in her community and concerned for the welfare of her friends and family. Along the way, Sheri was diagnosed with thyroid cancer. She beat it. Then she was diagnosed with breast cancer. The doctors gave her about a year to live. She wanted to make it to August 20, 2005, to see her daughter graduate from college. While she did pass that date, she will never see Katie married or play with her grandchildren. She did, however, leave a legacy that we have a responsibility to uphold. Sheri is just one of many unrecognized radiation-exposure victims; her story is poignant, but it is echoed throughout her community by many other families who have survived or lost cancer battles over the last 50 years. Sheri played a large role in bringing the plight of many of her friends and family to the attention of Idaho's congressional delegation and general public last year. Sheri is survived by her mother Millie and her daughter Katie Klein.

On May 11, 2005, I came to this Chamber and introduced legislation to amend the Radiation Exposure Compensation Act. My legislation would make Idaho citizens, such as Sheri, who were exposed to fallout from nuclear testing in Nevada, eligible for compensation under the act.

In my introductory statement, I related stories of Idahoans who recounted going outside in the evenings to look at the beautiful sunsets caused by the testing. Unfortunately, and unbeknownst to them, these skies were filled with dangerous radiation that elevated their exposure and subsequent risk of developing cancer. I also stated that now is the time to amend the act to make it work for everyone who may have become ill because of radiation fallout exposure.

Let us not let Sheri's death go unanswered. Join me in supporting S. 998 to amend the Radiation Exposure Compensation Act so that others who are suffering as Sheri did are given their just compensation and treatment; it is the right thing to do.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:19 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 250. An act to establish an interagency committee to coordinate Federal manufacturing research and development efforts in manufacturing, strengthen existing programs to assist manufacturing innovation and education, and expand outreach programs for small and medium-sized manufacturers, and for other purposes.

H.R. 3667. An act to designate the facility of the United States Postal Service located at 200 South Barrington Street in Los Angeles, California, as the ''Karl Malden Station''.

H.R. 3767. An act to designate the facility of the United States Postal Service located at 2600 Oak Street in St. Charles, Illinois, as the ''Jacob L. Frazier Post Office Building''.

H.R. 3827. An act to preserve certain immigration benefits for victims of Hurricane Katrina, and for other purposes.

H.J. Res. 61. Joint resolution supporting the goals and ideals of Gold Star Mothers Day.

ENROLLED BILL SIGNED

The message also announced that the Speaker has signed the following enrolled bill:

S. 1368. An act to extend the existence of the Parole Commission, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore (Mr. STEVENS).

At 2:27 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 3761. An act to provide special rules for disaster relief employment under the Workforce Investment Act of 1998 for individuals displaced by Hurricane Katrina.

H.R. 3768. An act to provide emergency tax relief for persons affected by Hurricane Katrina.

The enrolled bills were signed subsequently by the President pro tempore (Mr. STEVENS).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 250. An act to establish an interagency committee to coordinate Federal manufacturing research and development efforts in manufacturing, strengthen existing programs to assist manufacturing innovation and education, and expand outreach programs for small and medium-sized manufacturers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 3667. An act to designate the facility of the United States Postal Service located at 200 South Barrington Street in Los Angeles, California, as the ''Karl Malden Station''; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1745. A bill to expand the availability of resources under the Community Services Block Grant Act for individuals affected by Hurricane Katrina.

S. 1748. A bill to establish a congressional commission to examine the Federal, State, and local response to the devastation wrought by Hurricane Katrina in the Gulf Region of the United States especially in the States of Louisiana, Mississippi, Alabama, and other areas impacted in the aftermath and make immediate corrective measures to improve such responses in the future.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1761. A bill to clarify the liability of government contractors assisting in rescue, recovery, repair, and reconstruction work in the Gulf Coast region of the United States affected by Hurricane Katrina or other major disasters.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 22, 2005, she had presented to the President of the United States the following enrolled bills:

S. 1340. An act to amend the Pittman-Robertson Wildlife Restoration Act to extend the date after which surplus funds in the wildlife restoration fund become available for apportionment.

S. 1368. An act to extend the existence of the Parole Commission, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3857. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report providing information on U.S. military personnel and U.S. individual civilian contractors involved in the anti-narcotics campaign in Columbia; to the Committee on Foreign Relations.

EC–3858. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles that are firearms controlled under category I of the United States Munitions List sold commercially under a contract in the amount of $1,000,000 or more to Japan; to the Committee on Foreign Relations.

EC–3859. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of major defense equipment sold commercially under contract in the amount of $14,000,000 or more to South Korea; to the Committee on Foreign Relations.

EC–3860. A communication from the Secretary of the Treasury, transmitting, pursuant to Executive Order 13313 of July 31, 2003, the semiannual report detailing payments made to Cuba as a result of the provision of telecommunications services pursuant to Department of the Treasury specific licenses; to the Committee on Foreign Relations.

EC–3861. A communication from the Under Secretary of Defense for Policy, Department of Defense, transmitting, pursuant to law, the Department's Report on Activities and Assistance under Cooperative Threat Reduction Programs; to the Committee on Armed Services.

EC–3862. A communication from the Publications Control Officer, Department of the Army, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Military Police Investigations'' (RIN0702–AA44) received on August 31, 2005; to the Committee on Armed Services.

EC–3863. A communication from the Chief, Programs and Legislative Division, Office of Legislative Liaison, Office of the Secretary, Department of the Air Force, transmitting, pursuant to law, a report relative to a multi-function standard competition of the HQ ACC Detachment 1, Training Support Squadron at Luke Air Force Base (AFB), Arizona; to the Committee on Armed Services.

EC–3864. A communication from the Acting Director, Defense Procurement and Acquisition Policy, Department to Defense, transmitting, pursuant to law, the report of a rule entitled ''Radio Frequency Identification'' (DFARS Case 2004–D011) received on August 31, 2005; to the Committee on Armed Services.

EC–3865. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (3 subjects on 1 disc beginning with ''DoD Letter to Commission on Technical Corrections to Draft Commission Bill'') relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3866. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (1 subject on 1 disc entitled ''Air Force Errata on Commission Draft Bill'') relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3867. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (4 subjects on 1 disc beginning with ''New COBRA Air Force 37 Redo Realign Grand Forks'') relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3868. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (1 subject on 1 disc entitled ''Selfridge ARS-ARB MI MILCON (Additional Army)'') relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3869. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (10 subjects on 1 disc beginning with ''Abrell-Kelly Support Center II'') relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3870. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report relative to Section 123 of the National Defense Authorization Act of Fiscal Year 2002 (production rate for the V–22 Osprey aircraft); to the Committee on Armed Services.

EC–3871. A communication from the Assistant Attorney General for Administration, Justice Management Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Final Rule Exempting a Privacy Act System of Records of the Department of Justice from Certain Subsections of the Privacy Act (5 USC 522a): Department of Justice Regional Data Exchange System'' (DOJ–012) received on September 6, 2005; to the Committee on the Judiciary.

EC–3872. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a draft of proposed legislation entitled ''Environmental Crimes Restitution Act of 2005''; to the Committee on the Judiciary.

EC–3873. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a draft of proposed legislation relating to the Federal explosives laws; to the Committee on the Judiciary.

EC–3874. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a draft of proposed legislation entitled ''Child Pornography Prevention and Obscenity Prosecution Act of 2005''; to the Committee on the Judiciary.

EC–3875. A communication from the Assistant Attorney General, Department of Justice, transmitting, pursuant to law, the 2004 Annual Report to Congress describing the activities and operations of the Public Integrity Section; to the Committee on the Judiciary.

EC–3876. A communication from the Railroad Retirement Board, transmitting, pursuant to law, the budget request for fiscal year 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–3877. A communication from the Inspector General, Railroad Retirement Board, transmitting, pursuant to law, the budget request for fiscal year 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–3878. A communication from the Deputy Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's 2005 Inventory of Commercial and Inherently Governmental Activities; to the Committee on Health, Education, Labor, and Pensions.

EC–3879. A communication from the Assistant General Counsel for Regulatory Services, Office of Vocational and Adult Education Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Notice of Final Changes to Requirements—Community Technology Centers Program''; to the Committee on Health, Education, Labor, and Pensions.

EC–3880. A communication from the Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting, pursuant to law the report of a rule entitled ''Notice of Final Priorities, Requirements, Definitions, and Selection Criteria—School Dropout Prevention Program''; to the Committee on Health, Education, Labor, and Pensions.

EC–3881. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Disability and Rehabilitation Research Projects—Demand Side Employment Placement Models''; to the Committee on Health, Education, Labor, and Pensions.

EC–3882. A communication from the Regulations Coordinator, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Supplemental Standards of Ethical Conduct and Financial Disclosure Requirements for Employees of the Department of Health and Human Services'' (RIN3209–AA15) received on September 7, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–3883. A communication from the Coordinator, Forms Committee, Federal Election Commission, transmitting, pursuant to law, the revisions to the FEC forms and instructions, along with the explanation and justification for these revisions; to the Committee on Rules and Administration.

EC–3884. A communication from the Under Secretary of Defense, Comptroller, transmitting, pursuant to law, the report of a violation of the Antideficiency Act case number 04–11; to the Committee on Appropriations.

EC–3885. A communication from the Under Secretary of Defense, Comptroller, transmitting, pursuant to law, the report of a violation of the Antideficiency Act case number 03–01; to the Committee on Appropriations.

EC–3886. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the report of a violation of the Antideficiency Act occurring in the Rural Electrification and Telecommunications Direct Loan Financing Account; to the Committee on Appropriations.

EC–3887. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC–3888. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 13224 of September 23, 2001, with respect to persons who commit, threaten to commit, or support terrorism; to the Committee on Banking, Housing, and Urban Affairs.

EC–3889. A communication from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''31 CFR part 575'' received on September 18, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–3890. A communication from the Legal Information Assistant Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''EGRPRA Regulatory Review—Application and Reporting Requirements'' (RIN1550–AB93) received on September 8, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–3891. A communication from the Principal Deputy Assistant Secretary for Indian Affairs, Department of the Interior, transmitting, pursuant to law, a report relative to the use and distribution of the Confederated Tribes of the Warm Springs Reservation of Oregon Judgment Funds; to the Committee on Indian Affairs.

EC–3892. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Texas; Dallas-Fort Worth Voluntary Mobile Emission Reduction Program'' (FRL No. 7960–4) received August 31, 2005; to the Committee on Environment and Public Works.

EC–3893. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Chattanooga, Tennessee; Revised Format for Materials Being Incorporated by Reference'' (FRL No. 7952–3) received August 31, 2005; to the Committee on Environment and Public Works.

EC–3894. A communication from the Principal Deputy Associate Administrator, Office

of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Knox County, Tennessee; Revised Format for Materials Being Incorporated by Reference'' (FRL No. 7952–2) received August 31, 2005; to the Committee on Environment and Public Works.

EC–3895. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes: Wallula, Washington Area'' (FRL No. 7959–6) received August 31, 2005; to the Committee on Environment and Public Works.

EC–3896. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans for Kentucky: Regulatory Limit on Potential to Emit'' (FRL No. 7958–8) received August 31, 2005; to the Committee on Environment and Public Works.

EC–3897. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Extension of the Deferred Effective Date for 8-Hour Ozone National Ambient Air Quality Standards for Early Action Compact Areas'' (FRL No. 7959–2) received August 31, 2005; to the Committee on Environment and Public Works.

EC–3898. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Limited Approval and Promulgation of Implementation Plans; Texas; Excess Emissions During Startup, Shutdown and Malfunction Activities'' (FRL No. 7959–5) received August 31, 2005; to the Committee on Environment and Public Works.

EC–3899. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Standards of Performance for New and Existing Stationary Sources: Electric Utility Steam Generating Units'' (FRL No. 7960–1) received August 31, 2005; to the Committee on Environment and Public Works.

EC–3900. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Stay of the Findings of Significant Contribution and Rulemaking for Georgia for Purposes of Reducing Ozone Interstate Transport'' (FRL No. 7960–2) received August 31, 2005; to the Committee on Environment and Public Works.

EC–3901. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tomatoes Grown in Florida; Revisions in Requirements for Certificates of Privilege'' (FV05–966 1 FR) received on September 18, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3902. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Walnuts Grown in California; Suspension of Provision Regarding Eligibility of Walnut Marketing Board Members'' (FV05–984 a IFR) received on September 18, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3903. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Irish Potatoes Grown in Washington; Modification of Pack Requirements'' (FV05–946–3 IFR) received on September 18, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3904. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Modifying Procedures and Establishing Regulations to Limit Shipments of Small Sizes of Red Seedless Grapefruit'' (FV05–905 2 IFR) received on September 18, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3905. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Myclobutanil; Pesticide Tolerance for Emergency Exemptions'' (FRL7731–2) received on September 7, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3906. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Cyfluthrin; Pesticide Tolerance'' (FRL7725–7) received on September 7, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3907. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Lactic Acid, 2-Ethylhecyl Ester; Exemption from the Requirement of a Tolerance'' (FRL7729–5) received on September 7, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3908. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''S-metolachlor; Pesticide Tolerance'' (FRL7716–1) received on September 7, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3909. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Aminopyridine, Ammonia, chloropicrin, diazionon, Dihydro-S-heptyl-2(3H0-furanone Dihydro-5-pentyl 2(3H)-furanone, and Vinclozolin'' (FRL7732–5) received on September 7, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3910. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Bacillus Thuringiensis Cry34Ab1 and Cry34Ab1 Proteins and the Genetic Material Necessary for Their Production in Corn; Exemption from the Requirement of a Tolerance'' (FRL7735–4) received on September 7, 2005; to the Committee on Agriculture, Nutrition, and Forestry

EC–3911. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Cyhexatin; Tolerance Actions'' (FRL7732–8) received on September 18, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3912. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fluoxastrobin Pesticide Tolerances'' (FRL7719–9) received on September 18, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3913. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Ethylhexyl Glucopyranosides; Exemption from the Requirement of a Tolerance'' (FRL7729–6) received on September 18, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3914. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Alkyl Plyglycosides Exemption from the Requirement of a Tolerance'' (FRL7729–7) received on September 18, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3915. A communication from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Myclobutanil; Re-Establishment of a Tolerance for Emergency Exemption'' (FRL7736–1) received on September 18, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3916. A communication from the Deputy Assistant Secretary, Tax Analysis, Department of the Treasury, transmitting, pursuant to law, a report entitled ''Taxable REIT Subsidiaries: Analysis of the First Year's Returns, Tax Year 2001''; to the Committee on Finance.

EC–3917. A communication from the Secretary of Labor and the Secretary of the Treasury, transmitting jointly, a draft of legislation entitled ''Black Lung Disability Trust Fund Debt Restructuring Act''; to the Committee on Finance.

EC–3918. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Programs Drug Discount Card: Revision of Marketing Rules for Endorsed Drug Card Sponsors'' (RIN0938–AN97) received on September 7, 2005; to the Committee on Finance.

EC–3919. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Programs; Competitive Acquisition of Outpatient Drugs and Biologicals Under Part B: Interpretation and Correction'' (RIN0938–AN58) received on September 7, 2005; to the Committee on Finance.

EC–3920. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Domestic Asset/Liability Percentages and Domestic Invest Yields for IRC Sec. 842(b)'' (Rev. Proc. 2005–64) received on August 31, 2005; to the Committee on Finance.

EC–3921. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Modification of Rev. Proc. 83–77'' (Rev. Proc. 2005–63) received on August 31, 2005; to the Committee on Finance.

EC–3922. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to

law, the report of a rule entitled ''Applicable Federal Rates—September 2005'' (Rev. Rul. 2005–57) received on August 31, 2005; to the Committee on Finance.

EC–3923. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''TD9220'' received on August 31, 2005; to the Committee on Finance.

EC–3924. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Standard Mileage Rates 2005 Revision'' (Ann. 2005–71) received on August 31, 2005; to the Committee on Finance.

EC–3925. A communication from the Acting Chief, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice 2005–64'' received on August 31, 2005; to the Committee on Finance.

EC–3926. A communication from the Chairman, Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's Buy America Report; to the Committee on Energy and Natural Resources.

EC–3927. A communication from the Assistant Secretary, Policy, Management and Budget, Department of the Interior, transmitting, a draft of proposed legislation entitled ''Pick-Sloan Missouri Basin Program Cost Reallocation Act of 2005''; to the Committee on Energy and Natural Resources.

EC–3928. A communication from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Mining Claim and Site Maintenance and Location Fees—Free Adjustment'' (1004–AD75) received on September 7, 2005; to the Committee on Energy and Natural Resources.

EC–3929. A communication from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Pennsylvania Regulatory Program'' (PA–124–FOR) received on September 7, 2005; to the Committee on Energy and Natural Resources.

EC–3930. A communication from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Oil and Gas Leasing: Onshore Oil and Gas Operations—Fees, Rentals and Royalty Stripper Well Royalty Reductions Retention of Records'' (RIN1004–AD71) received on September 7, 2005; to the Committee on Energy and Natural Resources.

EC–3931. A communication from the Assistant Secretary for Fish and Wildlife and Parks, U.S. Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2005–6 Early Season'' (RIN1018–AT76) received on September 7, 2005; to the Committee on Energy and Natural Resources.

EC–3932. A communication from the Assistant Secretary for Fish and Wildlife and Parks, U.S. Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Early Seasons and Bag and Possession Limits for Certain Migratory Game Birds in the Contiguous United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands'' (RIN1018–AT76) received on September 7, 2005; to the Committee on Energy and Natural Resources.

EC–3933. A communication from the Assistant Secretary for Fish and Wildlife and Parks, U.S. Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Final Frameworks for Early Season Migratory Bird Hunting Regulations'' (RIN1018–AT76) received on September 7, 2005; to the Committee on Energy and Natural Resources.

EC–3934. A communication from the Secretary of Transportation transmitting, pursuant to law, the Semiannual Report of the Office of the Inspector General for the period October 1, 2004 through March 31, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC–3935. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–169, ''Homeland Services Reform Act of 2005''; to the Committee on Homeland Security and Governmental Affairs.

EC–3936. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting, pursuant to law, the First Annual National Capital Region Coordination Report; to the Committee on Homeland Security and Governmental Affairs.

EC–3937. A communication from the Secretary of Transportation transmitting, pursuant to law, the Annual Report of the Maritime Administration for Fiscal Year 2004; to the Committee on Commerce, Science, and Transportation.

EC–3938. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 of the Gulf of Alaska'' (ID090205A) received on September 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3939. A communication from the Deputy Bureau Chief, Consumer and Governmental Affairs Bureau, Federal Communication Commission, transmitting, pursuant to law, the report of a rule entitled ''Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Order on Reconsideration'' (FCC05–139) received on September 8, 2005.

EC–3940. A communication from the Deputy Bureau Chief, Consumer and Governmental Affairs Bureau, Federal Communication Commission, transmitting, pursuant to law, the report of a rule entitled ''Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Report and Order'' (FCC05–140) received on September 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3941. A communication from the Deputy Bureau Chief, Consumer and Governmental Affairs Bureau, Federal Communication Commission, transmitting, pursuant to law, the report of a rule entitled ''Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Order'' (FCC05–141) received on September 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3942. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Procedures for Participating in and Receiving Data from the National Driver Register Problem Driver Pointer System Pursuant to a Personnel Security Investigation and Determination'' (RIN2127–AJ66) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3943. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Hawley and Mundy, Texas'' received on September 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3944. A communication from the Special Advisor to the Bureau Chief, Media Bureau, Federal Communication Commission, transmitting, pursuant to law, the report of a rule entitled ''FM Broadcast Stations (Charlotte and Grand Ledge, Michigan)'' (Doc. No. 03–222) received on September 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3945. A communication from the Attorney Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Electronic Registration of Child Restraint Systems'' (RIN2127–AI95) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3946. A communication from the Attorney Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Response to Petitions'' (RIN2127–AJ70) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3947. A communication from the Interim Legal Advisor, Mobility Division, Federal Communication Commission, transmitting pursuant to law, the report of a rule entitled ''Amendment of Various Rules Affecting Wireless Radio Services'' (FCC05–144) received on September 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3948. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of the Legal Description of the Class E Airspace; Columbia Regional Airport, MO; Confirmation of Effective Date'' ((RIN2120–AA66)(2005–0201)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3949. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Ruidoso, NM'' ((RIN2120–AA66)(2005–0202)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3950. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Santa Teresa, NM'' ((RIN2120–AA66)(2005–0203)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3951. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace, Marana Regional Airport, AZ'' ((RIN2120–AA66)(2005–0204)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3952. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A330–200, 300, A340–200, and –300 Series Airplanes; and Model A340–541 and –642 Airplanes'' ((RIN2120–AA64)(2005–0404)) received

on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3953. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A300 B2 and B4 Series Airplanes; Model A300 B4 600, B4–600R, and F4 600R Series Airplanes; and Model A300 C4 605R Variant F Airplanes; and Model A310 200 and 300 Series Airplanes'' ((RIN2120–AA64)(2005–0407)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3954. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Short Brothers Model SD3–60 Airplanes'' ((RIN2120–AA64)(2005–0406)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3955. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Tiger Aircraft LLC Models AA–5, –5A, –5B Airplanes'' ((RIN2120–AA64)(2005–0408)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3956. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bombardier Model CL 600 2B19 Airplanes'' ((RIN2120–AA64)(2005–0409)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3957. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 777–200 and 300 Series Airplanes'' ((RIN2120–AA64)(2005–0410)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3958. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC 1 10, 10F, 15, 30, 30F, 40, 40F, MD 10 10F and 30F Airplanes; and Model MD 11 and 11F Airplanes'' ((RIN2120–AA64)(2005–0411)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3959. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: The Cessna Aircraft Company Models 525, 525A, and 525B Airplanes'' ((RIN2120–AA64)(2005–0412)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3960. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Turbomeca SA Artouste III Series Turboshaft Engines'' ((RIN2120–AA64)(2005–0413)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3961. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: General Electric Company CF 6 80C2 and CF 6 80E1 Turbofan Engines'' ((RIN2120–AA64)(2005–0414)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3962. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A321 Series Airplanes'' ((RIN2120–AA64)(2005–0415)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3963. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Saab Model SAAB 2000 Airplanes'' ((RIN2120–AA64)(2005–0416)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3964. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747, 757, 757, 777 Series Airplanes'' ((RIN2120–AA64)(2005–0417)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3965. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directive: Airbus Model A320–111 Airplanes and Model A320–200 Series Airplanes'' ((RIN2120–AA64)(2005–0418)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3966. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bombardier Model CL 600 2B19 Airplanes'' ((RIN2120–AA64)(2005–0419)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3967. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Turbomeca SA Arrius 2F Turboshaft Engines'' ((RIN2120–AA64)(2005–0405)) received on September 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3968. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Port Townsend Waterway, Puget Sound Washington, Naval Exercises'' (RIN1625–AA87) received on September 7, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3969. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Chicago Sanitary and Ship Canal, Romeoville, IL'' (RIN1625–AA11) received on September 7, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3970. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone (Including 2 Regulations) San Francisco Bay'' (RIN1625–AA87) received on September 7, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3971. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Humboldt Bay Bar Channel and Humboldt Bay Entrance Channel, Humboldt Bay, CA'' (RIN1625–AA11) received on September 7, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3972. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone (including 5 regulations)'' (RIN1625–AA00) received on September 7, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3973. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone Regulations; New Tacoma Narrows Bridge Construction Project'' (RIN1625–AA00) received on September 7, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3974. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulations (including 8 regulations)'' (RIN1625–AA09) received on September 7, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3975. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulation (including 3 regulations)'' (RIN1625–AA09) received on September 7, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3976. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events; Atlantic Ocean, Atlantic City'' (RIN1625–AA08) received on September 7, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3977. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events (including 3 regulations)'' (RIN1625–AA08) received on September 7, 2005; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Ms. COLLINS for the Committee on Homeland Security and Governmental Affairs.

Juliet JoAnn McKenna, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

John R. Fisher, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

*Colleen Duffy Kiko, of Virginia, to be General Counsel of the Federal Labor Relations Authority for a term of five years.

*Stewart A. Baker, of Virginia, to be an Assistant Secretary of Homeland Security.

By Mr. SPECTER for the Committee on the Judiciary.

John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SANTORUM (for himself and Mr. DEMINT):

S. 1750. A bill to provide for the issuance of certificates to Social Security beneficiaries who are born before 1950 guaranteeing their right to receive Social Security benefits under title II of the Social Security Act in full with an accurate annual cost-of-living adjustment; to the Committee on Finance.

By Ms. MIKULSKI:

S. 1751. A bill to amend title 38, United States Code, to expand the State sentences for which burial in National Cemeteries and Arlington National Cemetery are prohibited to include any sentence of life imprisonment for a State capital crime; to the Committee on Veterans' Affairs.

By Mr. CHAMBLISS (for himself and Mr. HARKIN):

S. 1752. A bill to amend the United States Grain Standards Act to reauthorize that Act; considered and passed.

By Mr. DEMINT (for himself, Mr. STEVENS, Mr. INOUYE, Mr. NELSON of Nebraska, Mr. VITTER, Mr. LOTT, and Ms. LANDRIEU):

S. 1753. A bill to establish a unified national hazard alert system, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. INHOFE:

S. 1754. A bill to apply the Federal medical assistance percentage determined for a State for fiscal year 2005 for fiscal years 2006 through 2014; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1755. A bill to designate the facility of the United States Postal Service located at 200 South Barrington Street in Los Angeles, California, as the ''Karl Malden Station''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DAYTON:

S. 1756. A bill to establish a Department of Peace and Nonviolence; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. CLINTON:

S. 1757. A bill to amend the Internal Revenue code of 1986 to make residents of Puerto Rico eligible for the refundable portion of the child tax credit; to the Committee on Finance.

By Mr. MCCAIN (for himself and Mr. DORGAN):

S. 1758. A bill to amend the Indian Financing Act of 1974, to provide for sale and assignment of loans and underlying security, and for other purposes; considered and passed.

By Mr. CRAIG:

S. 1759. A bill to require the Secretary of the Army to remove the remains of Russell Wayne Wagner from Arlington National Cemetery; to the Committee on Veterans' Affairs.

By Mr. SMITH (for himself and Mr. WYDEN):

S. 1760. A bill to authorize early repayment of obligations to the Bureau of Reclamation within Rogue River Valley Irrigation District or within Medford Irrigation District; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself, Mr. VITTER, Mr. LOTT, Ms. MURKOWSKI, and Mr. INHOFE):

S. 1761. A bill to clarify the liability of government contractors assisting in rescue, recovery, repair, and reconstruction work in the Gulf Coast region of the United States affected by Hurricane Katrina or other major disasters; read the first time.

By Mrs. BOXER (for herself, Mr. LAUTENBERG, and Mr. DAYTON):

S. 1762. A bill to establish a first responder interoperable communications grant program; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. BOXER:

S. 1763. A bill to promote the employment of workers displaced by Hurricane Katrina in connection with Hurricane Katrina reconstruction efforts; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. HUTCHISON (for herself, Ms. LANDRIEU, and Mr. CORNYN):

S. 1764. A bill to provide for the continued education of students affected by Hurricane Katrina; considered and passed.

By Ms. LANDRIEU (for herself and Mr. VITTER):

S. 1765. A bill to provide disaster relief and incentives for economic recovery for Louisiana residents and businesses affected by Hurricane Katrina; to the Committee on Finance.

By Mr. VITTER (for himself and Ms. LANDRIEU):

S. 1766. A bill to provide disaster relief and incentives for economic recovery for Louisiana residents and businesses affected by Hurricane Katrina; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. STEVENS:

S. Res. 247. A resolution commending the Library of Congress's private-sector advisory body, the James Madison Council and its Founding Chairman, John W. Kluge, on 15 years of exemplary service to Congress and the Nation and looking forward to the Council's continued success in the years ahead; considered and agreed to.

By Mr. AKAKA (for himself and Mr. INOUYE):

S. Res. 248. A resolution commemorating the West Oahu Little League Team for winning the 2005 Little League World Series; considered and agreed to.

By Mr. AKAKA (for himself and Mr. INOUYE):

S. Res. 249. A resolution commemorating the Oahu All-Stars for winning the 2005 Cal Ripken World Series and the Hawaii Warriors for winning the 2005 Continental Amateur Baseball Association World Series (ages 9-under); considered and agreed to.

By Mr. COBURN (for himself, Mr. ALLEN, Mr. BINGAMAN, Mr. BYRD, Mr. CRAPO, Mr. GRAHAM, Mr. HAGEL, Mr. ISAKSON, Mr. LEVIN, Ms. MURKOWSKI, Ms. SNOWE, Mr. THUNE, Mr. BUNNING, Mrs. CLINTON, Mr. DORGAN, Mr. GRASSLEY, Mr. LAUTENBERG, Mr. SANTORUM, Mr. THOMAS, Mr. JOHNSON, and Mr. MARTINEZ):

S. Res. 250. A resolution supporting the goals and ideals of Gold Star Mothers Day; considered and agreed to.

ADDITIONAL COSPONSORS

S. 4

At the request of Mr. FRIST, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 4, a bill to reduce healthcare costs, expand access to affordable healthcare coverage, and improve healthcare and strengthen the healthcare safety net, and for other purposes.

S. 236

At the request of Mr. NELSON of Nebraska, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 236, a bill to amend title XVIII of the Social Security Act to clarify the treatment of payment under the medicare program for clinical laboratory tests furnished by critical access hospitals.

S. 246

At the request of Mr. BUNNING, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 246, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs.

S. 576

At the request of Mr. BYRD, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 576, a bill to restore the prohibition on the commercial sale and slaughter of wild free-roaming horses and burros.

S. 852

At the request of Mr. SPECTER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 852, a bill to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, and for other purposes.

S. 1046

At the request of Mr. KYL, the names of the Senator from Nevada (Mr. ENSIGN) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 1046, a bill to amend title 28, United States Code, with respect to the jurisdiction of Federal courts over certain cases and controversies involving the Pledge of Allegiance.

S. 1191

At the request of Mr. SALAZAR, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1191, a bill to establish a grant program to provide innovative transportation options to veterans in remote rural areas.

S. 1244

At the request of Mr. GRASSLEY, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S.

1244, a bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term needs.

S. 1421

At the request of Ms. COLLINS, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1421, a bill to enhance resources to enforce United States trade rights.

S. 1440

At the request of Mr. CRAPO, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1440, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

S. 1445

At the request of Mr. SALAZAR, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1445, a bill to designate the facility of the United States Postal Service located at 520 Colorado Avenue in Arriba, Colorado, as the ''William H. Emery Post Office''.

S. 1489

At the request of Mrs. CLINTON, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1489, a bill to amend the Public Health Service Act with regard to research on asthma, and for other purposes.

S. 1692

At the request of Mr. CONRAD, the names of the Senator from Minnesota (Mr. DAYTON) and the Senator from New York (Mrs. CLINTON) were withdrawn as cosponsors of S. 1692, a bill to provide disaster assistance to agricultural producers for crop and livestock losses, and for other purposes.

At the request of Mr. CONRAD, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1692, supra.

S. 1695

At the request of Mr. HARKIN, the names of the Senator from Minnesota (Mr. DAYTON) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1695, a bill to provide the Secretary of Agriculture with additional authority and funding to provide emergency relief, in coordination with the Secretary of Homeland Security, to victims of Hurricane Katrina and related conditions.

S. 1700

At the request of Mr. COBURN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1700, a bill to establish an Office of the Hurricane Katrina Recovery Chief Financial Officer, and for other purposes.

S. 1715

At the request of Mr. BINGAMAN, his name was added as a cosponsor of S. 1715, a bill to provide relief for students and institutions affected by Hurricane Katrina, and for other purposes.

S. 1716

At the request of Mr. BAUCUS, the names of the Senator from Vermont (Mr. JEFFORDS), the Senator from Minnesota (Mr. DAYTON), the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Colorado (Mr. SALAZAR) were added as cosponsors of S. 1716, a bill to provide emergency health care relief for survivors of Hurricane Katrina, and for other purposes.

S. 1732

At the request of Mr. NELSON of Nebraska, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1732, a bill to require the Federal Trade Commission to conduct an inquiry into the retail prices of natural gas and gasoline.

S. 1736

At the request of Ms. COLLINS, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1736, a bill to provide for the participation of employees in the judicial branch in the Federal leave transfer program for disasters and emergencies.

S. 1738

At the request of Ms. COLLINS, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 1738, a bill to expand the responsibilities of the Special Inspector General for Iraq Reconstruction to provide independent objective audits and investigations relating to the Federal programs for Hurricane Katrina recovery.

S. 1747

At the request of Mr. CORNYN, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Virginia (Mr. ALLEN) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. 1747, a bill to limit liability for volunteers and those providing goods and services for disaster relief, and for other purposes.

S. 1749

At the request of Mr. KENNEDY, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Michigan (Ms. STABENOW) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 1749, a bill to reinstate the application of the wage requirements of the Davis-Bacon Act to Federal contracts in areas affected by Hurricane Katrina.

S. CON. RES. 48

At the request of Mr. DURBIN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Con. Res. 48, a concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued to promote public awareness of Down syndrome.

S. RES. 237

At the request of Mr. VOINOVICH, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Minnesota (Mr. DAYTON) were added as cosponsors of S. Res. 237, a resolution expressing the sense of the Senate on reaching an agreement on the future status of Kosovo.

S. RES. 242

At the request of Mr. SESSIONS, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. Res. 242, a resolution to express the sense of the Senate that the President should appoint an individual to oversee Federal funds for the Hurricane Katrina recovery, and for other purposes.

AMENDMENT NO. 1764

At the request of Mr. CRAIG, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of amendment No. 1764 intended to be proposed to H.R. 2744, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 1767

At the request of Mr. NELSON of Nebraska, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of amendment No. 1767 intended to be proposed to H.R. 2744, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 1835

At the request of Mr. HARKIN, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of amendment No. 1835 proposed to H.R. 2744, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SANTORUM (for himself and Mr. DEMINT):

S. 1750. A bill to provide for the issuance of certificates to Social Security beneficiaries who are born before 1950 guaranteeing their right to receive Social Security benefits under title II of the Social Security Act in full with an accurate annual cost-of-living adjustment; to the Committee on Finance.

Mr. SANTORUM. Mr. President, I rise today to talk about a bill I am introducing called the Social Security Guarantee Act. The reason I am introducing this piece of legislation is in an attempt to try, at a time when it looks like the Social Security issue here in Congress has ground down to almost a halt—although I think there is still an opportunity; as we hear, the House may pass something to move the ball forward—I want to put forth an idea I think would be helpful as something we can get done that should have, I hope, bipartisan support and would create a sense of security and certainly reduce

anxiety among those at or near retirement with respect to any future changes to Social Security.

The Social Security Guarantee Act is a very simple concept. It says if you were born before 1950, this law now creates a right for you to the benefits that you have been promised.

Now, you may say: Why is that a new thing? Well, believe it or not, there is a Supreme Court case on this point that says Social Security recipients have no right to the benefits they have been promised under the law. This would create such a right for people born before 1950.

Now, why do I pick out 1950? Because in all the legislation that has been introduced in the Congress, the statements made by the President, and even statements made by my colleagues on the other side of the aisle, we have all agreed that people who are at or near retirement should not be subject to change, for a couple of reasons, not the least of which is there is money there to pay those benefits. Cashflow-wise, there will be enough money to pay for the benefits for our seniors and those who are near retirement or near the eligible age of 62. So there is not a need to change the Social Security system for these individuals. Therefore, everyone who is proposing changes to the system, to save it and strengthen it for the future, has set them aside verbally and said: We are not going to propose anything that is going to affect your benefits if you were born before 1950.

Well, if we are going to say that, and promise that, then I think a step forward—both in terms of our ability to find a solution to the problem for younger workers and the fact that Social Security will not have sufficient resources to pay for benefits in the future—we take a step forward if we promise to put in law a guarantee that older workers' and retirees' benefits are guaranteed by the law.

The second benefit is one that is political in this sense, in that one of the difficulties in trying to rally support in the public for a program that will save and strengthen Social Security for younger workers is the anxiety that older workers have and retirees have that somehow or other, at the last minute, they will be folded into this bill and somehow their benefits will be affected or their taxes will be increased.

This should provide a level of comfort and reduce that anxiety and create a proper focus for reform, the proper focus for reform being the future, not the present, not the past.

So I put this forward as an admittedly minimalist step, but I think an important one, that creates a better atmosphere where there are not political accusations of trying to take someone's Social Security check away or that grandma's check be cut in half, or whatever the case may be. You hear all these things from those who do not want to make any kind of changes to the Social Security system for younger workers. So they go out and try to scare older workers and retirees.

I might add, another reason to do this is, it would not be fair at this point to reduce their benefits or to change the structure when they are either in the system or very close to being in Social Security.

So this is a step on which I would hope we could get bipartisan agreement, that we could pass this by unanimous consent. I do not know of anybody in this Chamber who has made the statement that they think we should change benefits for current retirees, or that we should change benefits for folks who are near retirement. That being the case, I see no reason we would not pass this and, in a sense, take those born before 1950 and say: OK, you are off the table. No Social Security changes are going to affect you. Your interest in the Social Security debate then becomes the future, not you. It becomes your children, your grandchildren, their children, their grandchildren, not how it affects you and your life today.

I think that is a helpful step in the right direction, to try to get something that is appropriate, a stronger Social Security system, that is appropriately designed for future generations of Americans.

I am pleased Senator DEMINT has joined me in this legislation. I certainly put out a call for all those who are interested in trying to take a small step forward in moving the Social Security agenda to join me in securing the benefits for our seniors, removing the anxiety that often comes, particularly with those who live from Social Security check to Social Security check, removing the anxiety that they have about the potential for their benefits to be affected by any changes Congress would make. This would create a vote, which I suspect would be unanimous, that would put every Senator on record for putting in the law that they will not change the Social Security benefits for those who were born before 1950. That has a powerful effect when a Member votes that way. It makes it very difficult for them to come back and say: I am going to change my mind.

It is a meaningful piece of legislation. It is a step in the right direction. It does remove the anxiety which is a positive thing for our seniors. It creates a platform for us to build into the future a stronger Social Security system. I am hopeful that in the next couple of months, if not early next year, that we can get a vote on this; that we can have unanimous consent to bring it up and to pass it and to get a strong vote from every Member of the Senate that Social Security reform programs put forward in the Senate to save and strengthen the Social Security system will be all about the future, will be all about younger workers and how we make the system stable for them without using scare tactics about how it is going to affect older workers who are, in most cases, the most vulnerable citizens in our society.

By Ms. MIKULSKI:

S. 1751. A bill to amend title 38, United States Code, to expand the State sentences for which burial in National Cemeteries and Arlington National Cemetery are prohibited to include any sentence of life imprisonment for a State capital crime; to the Committee on Veterans' Affairs.

Ms. MIKULSKI. Mr. President, I rise to introduce legislation to close a loophole in current law that allows convicted murderers to be honored at our national cemeteries. I believe we must preserve our national cemeteries as places of honor for our veterans. Arlington National Cemetery—and all our national cemeteries—are hallowed ground. They should not be polluted by the remains of convicted murderers.

In August, I learned of a tragic and troubling circumstance regarding our national cemeteries. The remains of a convicted cold-blooded murderer sentenced to two life sentences for his crimes were buried at Arlington National Cemetery on July 27, 2005. This man, Russell Wagner, was convicted of stabbing to death two elderly residents of Hagerstown, MD—Daniel Davis, 84 and his wife, Wilda Davis, 80. He was sentenced in State court to two life sentences for these unspeakable crimes. While serving his sentence in prison, Wagner died from a heroin overdose. Because he served honorably in Vietnam, his remains were allowed to be placed in Arlington National Cemetery with full military honors, even though he committed this terrible crime.

This episode has been terribly painful for the Davis family, understandably: they have had to relive the horror of their parents' brutal murder, while seeing the man who took away their loved ones being honored as a hero in our Nation's most sacred burial ground. There has been community outrage—which I share. The law that allows this disgrace must be changed.

Arlington is for heroes. So many Marylanders who served with honor were laid to rest in Arlington, the heroes from every war: men like Navy Diver Michael Steadam, who was brutally murdered by terrorists simply because he was a member of our military. In the Iraqi conflict, 37 Marylanders have died, including two from the same high school who died within weeks of each other. These are the heroes who deserve burial at our national cemeteries.

In my 18 years as the head of the VA–HUD subcommittee, I was proud to work closely with our Veterans' Service Organizations. They are tireless advocates for America's veterans. I so respect and admire them. I know many in these groups are uncomfortable with the idea of Congress tinkering with the benefits our veterans have earned. I can understand their yellow flashing lights. Promises made to our veterans

must be promises kept. For 18 years, I fought every day to safeguard these benefits—and continue to do so, because they represent America's payment of a debt we owe our brave veterans for their service—a debt that can never be fully repaid. But this is murder.

Federal law already prohibits murderers from being honored at Arlington and our national cemeteries. In 1997, Congress passed a law to restrict burial eligibility, to prevent convicted Oklahoma City bomber Timothy McVeigh from being buried in a national cemetery following his execution. Under current law, if a veteran is convicted of a capital crime in a Federal court, he or she cannot be placed in a national cemetery. Yet, if someone is convicted of the same crime in a State court, they retain their eligibility to be placed in a national cemetery if they are eligible for parole. This loophole enabled the man who murdered Mr. and Mrs. Davis to be placed alongside the heroes at Arlington.

Why did Congress pass what is known as the McVeigh law? Not to further punish the guilty, but to preserve our national cemeteries as places of honor for our veterans. So I was shocked to learn that the law we passed in 1997 does not apply in the case of the man who murdered Daniel and Wilda Davis. He was convicted of two life sentences, but because he was convicted in State court, he remained eligible for interment with honors at Arlington National Cemetery. This doesn't make any sense. The purpose of the 1997 law was to protect the standards our military men and women live by: to protect the values they fight and die for. The cold-blooded murder of an elderly couple is certainly contrary to those values.

I am introducing this bill on behalf of the Davis family. But I am also introducing it on behalf of a Nation at war. Every day across this country, brave young soldiers are being honored and laid to rest in our national cemeteries. We have precious little to offer in comfort for their grieving loved ones, who have made the ultimate sacrifice a Nation can ask. But we can insist that these sacred resting places and the honors our Nation rightfully bestowed on those who have died in its service are preserved as sanctuaries and monuments to the values they died protecting. Placing the remains of a cold-blooded murderer in this hallowed ground makes a mockery of that service. And it is wrong.

By Mr. INHOFE:

S. 1754. A bill to apply the Federal medical assistance percentage determined for a State for fiscal year 2005 for fiscal years 2006 through 2014; to the Committee on Finance.

Mr. INHOFE. Mr. President, I rise today to introduce a bill to apply the Federal Medical Assistance Percentage (FMAP) for a State for fiscal year 2005 for fiscal years 2006 through 2014. Oklahoma is one of the hardest hit States receiving a 2.27 percent reduction in our FMAP funds for 2006, resulting in a loss of approximately $65 million, along with 21 other states that will suffer more than a 0.5 percent reduction. I would like to introduce with unanimous consent the text of a chart created by the Oklahoma Health Care Authority that lays out the 2006 FMAP reduction.

Federal law states that the FMAP is based on the three most recent calendar years with acceptable data available from the Department of Commerce. Every four to five years the Department of Commerce's Bureau of Economic Analysis performs a comprehensive revision of its calculation of per capita income. They performed a revision in 2003 which revises the data for the previous years as well. Therefore, when the Centers for Medicare and Medicaid Services (CMS) calculated the FMAP for fiscal year 2006, they used the revised data from 2001, 2002 and 2003. A reduction of 2.27 percent would be disastrous for the state of Oklahoma.

My legislation purposes to keep the fiscal year 2005 percentage levels for 2006 through 2014, while we take an in depth look at revising the formula so states do not continue to get hit with such drastic reductions. Please join me in supporting this important legislation.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

OKLAHOMA HEALTH CARE AUTHORITY

[Estimated Federal Cost Impact to Cap FMAP Reduction at .5 Percentage Point Projected FFY 2006]

State	2006 FMAP reduction	Total MAP expenditures (2004 trended)	Total cost to state w/full FMAP reduction	Federal cost to cap FMAP reduction @ 5%	Dif: adj. cost to State w/5% reduction
Alaska	7.42 (percent)	927,820,408	68,844,274	64,205,172	4,639,102
Wyoming	3.67 (percent)	411,742,028	15,110,932	13,052,222	2,058,710
New Mexico	3.15 (percent)	2,507,212,586	78,977,196	66,441,134	12,536,063
Oklahoma	2.27 (percent)	2,924,733,647	66,391,454	51,767,786	14,623,668
Maine	1.99 (percent)	2,344,739,613	46,660,318	34,936,620	11,723,698
West Virginia	1.66 (percent)	2,362,624,867	39,219,872	27,406,657	11,813,214
North Dakota	1.64 (percent)	565,830,511	9,279,620	6,450,468	2,829,153
Vermont	1.62 (percent)	899,658,464	14,574,467	10,076,175	4,498,292
Utah	1.38 (percent)	1,445,925,839	19,953,777	12,724,147	7,229,629
Montana	1.36 (percent)	726,849,009	9,885,147	6,250,901	3,634,245
Alabama	1.32 (percent)	4,174,809,256	55,107,482	34,233,436	20,874,046
Louisiana	1.25 (percent)	5,735,530,756	71,694,134	43,016,481	28,677,654
Nevada	1.14 (percent)	1,202,661,716	13,710,344	7,697,035	6,013,309
Mississippi	1.08 (percent)	3,752,796,588	40,530,203	21,766,220	18,763,983
Arkansas	0.98 (percent)	2,974,366,673	29,148,793	14,276,960	14,871,833
South Dakota	0.96 (percent)	622,166,738	5,972,801	2,861,967	3,110,834
Rhode Island	0.93 (percent)	1,900,919,404	17,678,550	8,173,953	9,504,597
Tennessee	0.82 (percent)	8,319,862,112	68,222,869	26,623,559	41,599,311
Idaho	0.71 (percent)	1,069,486,215	7,593,352	2,245,921	5,347,431
Wisconsin	0.67 (percent)	5,292,600,883	35,460,426	8,997,442	26,463,004
Kansas	0.60 (percent)	2,055,601,420	12,333,609	2,055,601	10,278,007
South Carolina	0.57 (percent)	4,449,546,832	25,362,417	3,114,683	22,247,734
Total		56,667,503,565	751,712,038	468,374,520	283,337,518

Note: Included are states that are projected to experience an FMAP reduction in FFYO6.

Estimated costs provided in this chart are based on state MAP expenditures published on CMS 64 reports (2004 trended by 9% for 2 years). The costs do not reflect official estimates from any of the states, but should provide a fair representation of the impact for each state.

By Mr. DAYTON:

S. 1756. A bill to establish a Department of Peace and Nonviolence; to the Committee on Homeland Security and Governmental Affairs.

Mr. DAYTON. Mr. President, I rise today to introduce legislation to create a Department of Peace and Nonviolence, headed by a Cabinet-level Secretary of Peace and Nonviolence. While I am loath to add another agency to the already oversized Federal bureaucracy, it is imperative that we elevate peace to at least the same level as war within the Federal Government, inside the President's Cabinet Room, and in our national policymaking.

The Department's mission is set forth in section 101 of the proposed legislation. It says:

The Department shall—

hold peace as an organizing principle, coordinating service to every level of American society;

endeavor to promote justice and democratic principles to expand human rights;

strengthen nonmilitary means of peacemaking;

promote the development of human potential;

work to create peace, prevent violence, divert from armed conflict, use field-tested programs, and develop new structures and nonviolent dispute resolution;

take a proactive, strategic approach in the development of policies that promote national and international conflict prevention, nonviolent intervention, mediation, peaceful

resolution of conflict, and structured mediation of conflict;

address matters both domestic and international in scope, and

encourage the development of initiatives from local communities, religious groups, and nongovernmental organizations.

The legislation mandates that an amount not less than 2 percent of the Department of Defense's annual appropriation be expended for those peacemaking and peace-advancing efforts, which does not affect the Department of Defense's level of funding.

Now is clearly the time to create a Department of Peace and Nonviolence. The continuing war in Iraq, a war which I opposed, a war initiated before all attempts at peaceful resolution had been made, should teach us again that war is not the answer. Despite the incredible heroism of the men and women in our Armed Forces who have fought, patrolled, and helped so well and for so long in Iraq, 138,000 of them are still there with no end in sight. More of them are wounded, maimed, and killed every day. Terrorism activities against our troops and against Iraqi citizens are continuing and even increasing in their lethality.

Tragically, wrongly, but unavoidably, anti-American hatred also continues to grow throughout the Arab world. Who can doubt that some of the sons and daughters of Iraqis killed during the past 2½ years of war will grow up to become vicious terrorists, hell-bent on revenge against America. Our leaders did not intend to create this anti-American backlash, what the CIA calls ''blowback.'' However, they are ignoring it at our peril.

Our Nation possesses a military might that is unprecedented in the world's history and unparalleled in the world today. We must remain so.

Yet, if we are to remain the world's leader and if we are to lead the world into a more secure and a more prosperous future, we must become better known and more respected for our peacemaking successes than for our military forces. Peace is far more than the absence of war, although that is the starting point. Peace, to have any lasting value, must be advanced, expanded, and strengthened continuously. Doing so requires skill, dedication, persistence, resources and, most importantly, people. We need thousands of American emissaries of peace at home and abroad. We need our embassies to become centers for peaceful initiatives worldwide, and we need advocates for peace-promoting policies here in Washington.

This country was founded by a Revolutionary War, a necessary war for independence. But our Nation's Founders wanted this to be a nation of peace. President Thomas Jefferson said, in 1801:

That peace, safety, and concord may be the portion of our native land, and be long-enjoyed by our fellow-citizens, is the most ardent wish of my heart, and if I can be instrumental in procuring or preserving them, I shall think I have not lived in vain.

Mr. President, 158 years later President Dwight Eisenhower, himself no stranger to war, said:

I think people want peace so much that one of these days governments had better get out of the way and let them have it.

To further that goal, in 1984, Congress passed legislation and President Ronald Reagan signed it into law, creating the U.S. Institute of Peace. Today, the Institute of Peace is an independent, nonpartisan organization funded by Congress to promote peace and curb violent international conflict. The last 20 years have shown that the Institute, and all of us, have much more to do to create and to sustain a peaceful world.

Similar to Thomas Jefferson, peace, safety and concord for our fellow citizens is the most ardent wish of my heart. If I can be instrumental in procuring or preserving them, I think that I shall not have lived in vain.

A peaceful world, inhabited by people throughout the world who have learned how to keep peace better than how to make war, who want peace, who know its benefits and who insist that their governments let them have it—that would be the best world and the greatest inheritance we could give to our children and our grandchildren and generations that will follow them. Without it, nothing else is reliable. With it, everything else is possible.

By Mrs. BOXER:

S. 1763. A bill to promote the employment of workers displaced by Hurricane Katrina in connection with Hurricane Katrina reconstruction efforts; to the Committee on Health, Education, Labor, and Pensions.

Mrs. BOXER. Mr. President, we have all seen the unprecedented destruction and suffering caused by Hurricane Katrina.

With the Katrina disaster, tens of thousands of people in the Gulf States have lost their jobs. In fact, over 200,000 have filed for unemployment benefits. For that reason, I introduced the Hurricane Katrina Reconstruction and Displaced Workers Assistance Act of 2005. This legislation would give priority in awarding Federal contracts for the rebuilding efforts to those companies where workers displaced by Hurricane Katrina comprise at least 25 percent of the workforce fulfilling the contract. It is the least we could do to help displaced workers.

Unfortunately, on the same day I introduced my bill to help workers, President Bush did just the opposite. He issued a proclamation saying that those who get Federal contracts for rebuilding will not have to pay workers the prevailing wage. This is unfair to working men and women. It is not right. The tragedy of Hurricane Katrina should not be used as an excuse to take advantage of working people.

Therefore, to ensure that workers in the region affected by the hurricane are paid the region's prevailing wages, I am introducing a second version of the Hurricane Katrina Reconstruction and Displaced Worker Assistance Act of 2005. It will still give priority to those companies who hire displaced workers, but it will also ensure that all workers are paid the prevailing wage.

I urge my colleagues to support the bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 247—COMMENDING THE LIBRARY OF CONGRESS'S PRIVATE-SECTOR ADVISORY BODY, THE JAMES MADISON COUNCIL, AND ITS FOUNDING CHAIRMAN, JOHN W. KLUGE, ON 15 YEARS OF EXEMPLARY SERVICE TO CONGRESS AND THE NATION AND LOOKING FORWARD TO THE COUNCIL'S CONTINUED SUCCESS IN THE YEARS AHEAD

Mr. STEVENS submitted the following resolution; which was considered and agreed to:

S. RES. 247

Whereas the James Madison Council, the Library of Congress's first-ever national advisory and support group in the 205-year history of the Library of Congress is celebrating its 15th year under the continuing strong leadership of its Founding Chairman John W. Kluge;

Whereas the James Madison Council remains a loyal group of friends whose vision and generosity have made possible many new initiatives within America's oldest Federal cultural institution;

Whereas John Kluge has energized this group of dedicated and generous individuals from the private-sector to help this unique institution that was created by Congress to make added contributions for the good of the Nation;

Whereas John Kluge's example and leadership has benefitted not only the Library of Congress and Congress, but also scholars, researchers, and lifelong learners everywhere, and has created a new international award at the highest level for lifetime achievement in the study of humanity;

Whereas building on John Kluge's generosity, the James Madison Council has strengthened and enriched the world of scholarship in Washington, District of Columbia, and provided new on-line educational material for the classrooms of the Nation and the world;

Whereas the members of the James Madison Council have added a significant number of rare and historic materials of major importance to the national collection of the Library of Congress, such as the 1507 Waldseemüller map of the world, which was the first map to include America, made possible by members John Hendricks, Marguerite and Gerry Lenfest, and David Koch, the restoration of Thomas Jefferson's original library, which is the cornerstone of the Library's collections, thanks to Jerry Jones, a major private collection from members Jean and Jay I. Kislak, which documents the encounter between European explorers and the indigenous peoples of North America and, thanks to Jon and Lillian Lovelace, the Alan Lomax collection, which is the largest collection of ethnographic material ever assembled by one person; and

Whereas led by John Kluge, the James Madison Council has furthered the programs

of the Librarian of Congress, James H. Billington, such as the National Digital Library, which provides free internet access to 10,000,000 of the most historically important and educationally valuable primary materials in the Library's collection, the National Book Festival, which celebrates the joys of reading, and the Library's Bicentennial celebration in the year 2000: Now, therefore, be it

Resolved, That the Senate commends the Library of Congress's private-sector advisory body, the James Madison Council, and its Founding Chairman, John W. Kluge, on 15 years of exemplary service to Congress and the Nation and looks forward to its continued success in the years ahead.

SENATE RESOLUTION 248—COMMEMORATING THE WEST OAHU LITTLE LEAGUE TEAM FOR WINNING THE 2005 LITTLE LEAGUE WORLD SERIES

Mr. AKAKA (for himself and Mr. INOUYE) submitted the following resolution; which was considered and agreed to:

S. RES. 248

Whereas on August 28, 2005, the West Oahu Little League Team from Ewa Beach, Hawaii, won the 2005 Little League Baseball World Series Championship;

Whereas the Ewa Beach team defeated the defending champions Curacao, 7-6, in a dramatic, come-from-behind victory in only the second extra-inning championship game in the history of the Little League World Series;

Whereas the victory marked the first Little League World Series championship for the State of Hawaii;

Whereas manager Layton Aliviado had the ability to instill 12 boys from Ewa Beach with the confidence and skills needed to remain focused and fight back to win after falling behind;

Whereas the team hit 13 home runs during the 6 game tournament, including 3 in the championship game victory;

Whereas the champions hit at least 1 home run in every tournament game, with Vonn Feao knocking out a tournament high 4, Michael Memea and Alakai Aglipay each hit 3, Sheyne Baniaga hit 2 (including the game winner in the United States semifinal), and Quentin Guevara hit 1;

Whereas Michael Memea's game-ending homer was a first in the history of the Little League championship game; and

Whereas all of the team's players showed tremendous dedication throughout the season and the tournament toward the goal of winning the World Championship and displayed great class and sportsmanship in victory: Now, therefore, be it

Resolved, That the Senate—

(1) commends the West Oahu Little League Team from Ewa Beach for winning the 2005 Little League Baseball World Series Championship;

(2) recognizes the achievements of all the team's players, coaches, and support staff, and invites them to the United States Capitol to be honored;

(3) urges the President to—

(A) recognize the achievements of the West Oahu Little League Team from Eva Beach; and

(B) invite the team to the White House for an appropriate ceremony honoring a world championship team; and

(4) directs the Secretary of the Senate to—

(A) make available enrolled copies of this resolution to the West Oahu Little League Team for appropriate display.

SENATE RESOLUTION 249—COMMEMORATING THE OAHU ALL-STARS FOR WINNING THE 2005 CAL RIPKEN WORLD SERIES AND THE HAWAII WARRIORS FOR WINNING THE 2005 CONTINENTAL AMATEUR BASEBALL ASSOCIATION WORLD SERIES (AGES 9–UNDER)

Mr. AKAKA (for himself and Mr. INOUYE) submitted the following resolution; which was considered and agreed to:

S. RES. 249

Whereas on August 21, 2005, the Oahu All-Stars won the 2005 Cal Ripken World Series;

Whereas the team from Oahu worked together in the 1 hit shutout title game to beat the series reigning champs, Team Mexico;

Whereas the manager and coaching staff, Gerald Oda, Keith Oda, and Staphe Fujimoto, respectively, had the ability to instill 14 boys from Oahu with the confidence and skills needed to succeed in a world competition;

Whereas Kewby Meyer was named the Most Outstanding Player in the series;

Whereas Kewby Meyer, Timmy Arakawa, Gavin Okada, and Kalani Lagoc-Crawford were named to the 2005 United States All World Series Team and Kash Kalohelani, Ryan Cortez, and Ryan Yamane were named to the 2005 All Defensive Team;

Whereas on August 5, 2005, the Hawaii Warriors won the 2005 Continental Amateur Baseball Association World Series (ages 9-under) championship game;

Whereas the team battled from behind in the final innings of the championship game to beat the Cincinnati Flames and complete the series with a perfect 9–0 record; and

Whereas all of the teams' players showed tremendous dedication throughout their tournaments toward the goal of winning World Series Championships and displayed great class and sportsmanship in victory: Now, therefore, be it

Resolved, That the Senate—

(1) commends the Oahu All-Stars for winning the 2005 Cal Ripken World Series title game and the Hawaii Warriors for winning the 2005 Continental Amateur Baseball Association World Series (ages 9-under);

(2) recognizes the achievements of all the teams' players, coaches, and support staff, and invites them to the United States Capitol to be honored;

(3) urges the President to—

(A) recognize the achievements of the Oahu All-Star team and the Hawaii Warriors team; and

(B) invite the teams to the White House for an appropriate ceremony honoring these world championship teams; and

(4) directs the Secretary of the Senate to—

(A) make available enrolled copies of this resolution to the Oahu All-Star team and the Hawaii Warriors team for appropriate display.

SENATE RESOLUTION 250—SUPPORTING THE GOALS AND IDEALS OF GOLD STAR MOTHERS DAY

Mr. COBURN (for himself, Mr. ALLEN, Mr. BINGAMAN, Mr. BYRD, Mr. CRAPO, Mr. GRAHAM, Mr. HAGEL, Mr. ISAKSON, Mr. LEVIN, Ms. MURKOWSKI, Ms. SNOWE, Mr. THUNE, Mr. BUNNING, Mrs. CLINTON, Mr. DORGAN, Mr. GRASSLEY, Mr. LAUTENBERG, Mr. SANTORUM, Mr. THOMAS, Mr. JOHNSON, and Mr. MARTINEZ) submitted the following resolution; which was considered and agreed to:

S. RES. 250

Whereas the American Gold Star Mothers have suffered the supreme sacrifice of motherhood by losing sons and daughters who served in the Armed Forces, and thus perpetuate the memory of all whose lives were sacrificed in our wars;

Whereas the American Gold Star Mothers assist veterans of the Armed Forces and their dependents in the presentation of claims to the Veterans' Administration, and aid the men and women who served and died or were wounded or incapacitated during hostilities;

Whereas the services rendered to the United States by the mothers of America have strengthened and inspired our Nation throughout our history;

Whereas we honor ourselves and the mothers of America when we revere and emphasize the role of the home and the family as the true foundations of our Nation;

Whereas by doing so much for the home, the American mother is a source of moral and spiritual guidance for the people of the United States and thus acts as a positive force to promote good government and peace among all mankind; and

Whereas September 25, 2005, is being recognized as Gold Star Mothers Day: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of Gold Star Mothers Day; and

(2) calls on the people of the United States to observe such day with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1850. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table.

SA 1851. Mr. DEWINE (for himself and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill H.R. 2528, supra; which was ordered to lie on the table.

SA 1852. Mr. AKAKA (for himself and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 2528, supra.

SA 1853. Mr. AKAKA submitted an amendment intended to be proposed by him to the bill H.R. 2528, supra; which was ordered to lie on the table.

SA 1854. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2528, supra; which was ordered to lie on the table.

SA 1855. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2528, supra; which was ordered to lie on the table.

SA 1856. Mr. MARTINEZ (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 2528, supra; which was ordered to lie on the table.

SA 1857. Mr. JEFFORDS submitted an amendment intended to be proposed by him to the bill H.R. 2528, supra; which was ordered to lie on the table.

SA 1858. Mrs. HUTCHISON (for Mr. COBURN) proposed an amendment to the bill H.R. 2528, supra.

SA 1859. Mrs. HUTCHISON (for Mr. CARPER) proposed an amendment to the bill H.R. 2528, supra.

SA 1860. Mrs. HUTCHISON (for Mrs. BOXER) proposed an amendment to the bill H.R. 2528, supra.

SA 1861. Mrs. HUTCHISON (for Mr. CHAMBLISS (for himself and Mr. ISAKSON)) proposed an amendment to the bill H.R. 2528, supra.

SA 1862. Mrs. HUTCHISON (for Mrs. FEINSTEIN) proposed an amendment to the bill H.R. 2528, supra.

SA 1863. Mrs. HUTCHISON (for Mr. FEINGOLD (for himself and Mr. SALAZAR)) proposed an amendment to the bill H.R. 2528, supra.

SA 1864. Mrs. HUTCHISON (for Mr. DURBIN (for himself, Mrs. MURRAY, Mr. OBAMA, and Mr. AKAKA)) proposed an amendment to the bill H.R. 2528, supra.

SA 1865. Mrs. HUTCHISON (for Mr. DURBIN (for himself and Mr. OBAMA)) proposed an amendment to the bill H.R. 2528, supra.

SA 1866. Mrs. HUTCHISON (for Mr. JEFFORDS) proposed an amendment to the bill H.R. 2528, supra.

SA 1867. Mrs. HUTCHISON (for Mr. SALAZAR) proposed an amendment to the bill H.R. 2528, supra.

SA 1868. Mr. CRAIG (for Mr. SALAZAR (for himself and Mr. BINGAMAN)) proposed an amendment to the bill H.R. 2528, supra.

SA 1869. Mr. THOMAS (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill H.R. 2528, supra; which was ordered to lie on the table.

SA 1870. Mr. FRIST (for Mrs. HUTCHISON) proposed an amendment to the bill H.R. 2528, supra.

SA 1871. Mr. FRIST (for Mrs. HUTCHISON) proposed an amendment to the bill H.R. 2528, supra.

TEXT OF AMENDMENTS

SA 1850. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . Any limitation, directive, or earmarking contained in either the House of Representatives or Senate report accompanying H.R. 2528 shall also be included in the conference report or joint statement accompanying H.R. 2528 in order to be considered as having been approved by both Houses of Congress.

SA 1851. Mr. DEWINE (for himself and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 72, between lines 13 and 14, insert the following:

SEC. 130. The amount appropriated by this title under the heading ''MILITARY CONSTRUCTION, AIR FORCE'' is hereby increased by $12,950,000, with the amount of such increase to be available for the construction of an academic building at the Air Force Institute of Technology at Wright-Patterson Air Force Base, Ohio.

SA 1852. Mr. AKAKA (for himself and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 76, line 22, strike ''$23,308,011,000'' and insert ''$23,318,011,000''.

On page 77, line 1, insert ''$109,000,000 shall be available for the Readjustment Counseling Service: *Provided further*, That'' after ''this heading,''.

On page 78, line 22, strike ''$1,456,821,000'' and insert ''$1,446,821,000''.

On page 79, line 7, strike ''$100,000,000'' and insert ''$90,000,000''.

SA 1853. Mr. AKAKA submitted an amendment intended to be proposed by him to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 76, lines 22 and 23, strike ''$23,308,011,000, plus reimbursements, of which $1,977,000,000'' and insert ''$23,318,011,000, plus reimbursements, of which $1,987,000,000''.

On page 77, line 1, insert ''$109,000,000 shall be available for the Readjustment Counseling Service: *Provided further*, That'' after ''this heading,''.

SA 1854. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 72, between lines 13 and 14, insert the following:

SEC. 130. The amount appropriated by this title under the heading ''MILITARY CONSTRUCTION, ARMY'' is hereby increased by $4,299,000, with the amount of such increase to be made available for demolition of World War II era wooden buildings at Fort Polk, Louisiana.

SA 1855. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 72, between lines 13 and 14, insert the following:

SEC. 130. The amount appropriated by this title under the heading ''MILITARY CONSTRUCTION, ARMY'' is hereby increased by $15,000,000, with the amount of such increase to be made available to replace World War II era mobilization and demobilization buildings at the north fort of Fort Polk, Louisiana, with portable temporary modular building structures.

SA 1856. Mr. MARTINEZ (for himself and Mr. NELSON of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 72, between lines 13 and 14, insert the following:

SEC. 130. Of the amount appropriated by this title under the heading ''MILITARY CONSTRUCTION, NAVY AND MARINE CORPS'' and available for architectural and engineering services and construction design, $500,000 shall be made available for the design of wharf upgrades at Naval Station Mayport, Florida.

SA 1857. Mr. JEFFORDS submitted an amendment intended to be proposed by him to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 93, between lines 20 and 21, insert the following:

SEC. 222. CLINICAL TRAINING AND PROTOCOLS.

(a) FINDINGS.—Congress finds that—

(1) the Iraq War Clinician Guide has tremendous value; and

(2) the Secretary of Defense and the National Center on Post Traumatic Stress Disorder should continue to work together to ensure that the mental health care needs of servicemembers and veterans are met.

(b) COLLABORATION.—The National Center on Post Traumatic Stress Disorder shall collaborate with the Secretary of Defense—

(1) to enhance the clinical skills of military clinicians through training, treatment protocols, web-based interventions, and the development of evidence-based interventions; and

(2) to promote pre-deployment resilience and post-deployment readjustment among servicemembers serving in Operation Iraqi Freedom and Operation Enduring Freedom.

(c) TRAINING.—The National Center on Post Traumatic Stress Disorder shall work with the Secretary of Defense to ensure that clinicians in the Department of Defense are provided with the training and protocols developed pursuant to subsection (b)(1).

SA 1858. Mrs. HUTCHISON (for Mr. COBURN) proposed an amendment to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____. Any limitation, directive, or earmarking contained in either the House of Representatives or Senate report accompanying H.R. 2528 shall also be included in the conference report or joint statement accompanying H.R. 2528 in order to be considered as having been approved by both Houses of Congress.

SA 1859. Mrs. HUTCHISON (for Mr. CARPER) proposed an amendment to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 72, between lines 13 and 14, insert the following:

SEC. 130. Of the amount appropriated by this title under the heading ''MILITARY CONSTRUCTION, AIR NATIONAL GUARD'' and available for planning and design, $1,440,000 shall be available for planning and design for a replacement C–130 maintenance hangar at Air National Guard New Castle County Airport, Delaware.

SA 1860. Mrs. HUTCHISON (for Mrs. BOXER) proposed an amendment to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 93, between lines 20 and 21, insert the following:

SEC. 222. REPORT ON HOUSING ASSISTANCE TO LOW-INCOME VETERANS.

(a) IN GENERAL.—The Comptroller General shall conduct a study on housing assistance to low-income veterans, including—

(1) an estimate of the number of low-income, very low-income, and extremely low-income veteran households;

(2) a description of the demographic and socioeconomic characteristics and health and disability status of such households;

(3) an estimate of the number of such households experiencing a high cost burden in, overcrowding in, or poor quality of housing, or experiencing homelessness;

(4) an assessment of such households, including their current barriers to safe, quality, and affordable housing and levels of homelessness among such households;

(5) the extent to which Federal housing assistance programs provide benefits, including supportive services, to all veteran households and in particular to low-income, very low-income, and extremely-low income veteran households;

(6) the number of units designated for or occupied by veterans and low-income, very low-income, and extremely low-income veterans in Federally subsidized or insured housing;

(7) a summary description of the manner in which veteran compensation, veteran dependency and indemnity compensation, and veteran pension are considered as income or adjusted income for purposes of determining—

(A) eligibility for Federal housing assistance programs; and

(B) the amount of rent paid by a veteran household for occupancy of a dwelling unit or housing assisted under Federal housing assistance programs;

(8) a summary description of the special considerations made for veterans under—

(A) public housing plans submitted under section 5A of the United States Housing Act of 1937 (42 U.S.C. 1437c–1); and

(B) comprehensive housing affordability strategies submitted under section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705);

(9) the extent to which public housing authorities have established preferences for veterans for public housing and housing choice vouchers;

(10) the number of homeless veterans provided assistance, cumulatively and currently, under the program of housing choice vouchers for homeless veterans under section 8(o)(19) of the United States Housing Act of 1937 (42. U.S.C. 1437f(o)(19)), and the current status of the program, including—

(A) the number of vouchers the Department of Housing and Urban Development currently allocates to the Department of Veterans Affairs;

(B) the monetary value of such vouchers; and

(C) the names and locations of VA medical centers receiving such vouchers; and

(11) a description of activities relating to veterans of the Department of Housing and Urban Development.

(b) ACQUISITION OF SUPPORTING INFORMATION.—In carrying out the study under this section, the Comptroller General shall seek to obtain views from the following persons:

(1) The Secretary of Housing and Urban Development.

(2) The Secretary of Veterans Affairs.

(3) Low-income, very low-income, and extremely low-income veterans.

(4) Representatives of State and local housing assistance agencies.

(5) Representatives of nonprofit low-income housing providers and homeless service providers, including homeless veteran service providers.

(6) National advocacy organizations concerned with veterans, homelessness, and low-income housing.

(c) TIMING OF REPORT.—Not later than 6 months after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the study conducted under this section.

SA 1861. Mrs. HUTCHISON (for Mr. CHAMBLISS (for himself and Mr. ISAKSON)) proposed an amendment to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 72, between lines 13 and 14, insert the following:

SEC. 130. (a) Of the amount appropriated by this title under the heading ''MILITARY CONSTRUCTION, ARMY'', $4,550,000 shall be made available for the construction of a military police complex at Fort Gordon, Georgia.

(b) The amount appropriated by this title under the heading ''MILITARY CONSTRUCTION, ARMY'' and available for Fort Gillem, Georgia, is hereby decreased by $4,550,000.

SA 1862. Mrs. HUTCHISON (for Mrs. FEINSTEIN) proposed an amendment to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 72, between lines 13 and 14, insert the following:

SEC. 130. (a) The amount appropriated by this title under the heading ''DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990'' is hereby increased by $25,000,000.

(b) The amount appropriated by this title under the heading ''DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005'' is hereby decreased by $25,000,000.

SA 1863. Mrs. HUTCHISON (for Mr. FEINGOLD (for himself and Mr. SALAZAR)) proposed an amendment to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 93, between lines 20 and 21, insert the following:

SEC. 222.(a) Not later than 60 days after the date of enactment of this Act, the Secretary of Veterans Affairs, after consultation with the National Association of County Veterans Service Officers, other veterans service organizations, and State Departments of Veterans Affairs shall submit a report to the committee on Appropriation of the Senate that describes a plan (including estimated costs) to provide an adequate supply of the 2006 edition of handbook entitled, Federal Benefits for Veterans and Dependents, and all subsequent editions, to all county veterans service officers in the United States.

SA 1864. Mrs. HUTCHISON (for Mr. DURBIN (for himself, Mrs. MURRAY, Mr. OBAMA, and Mr. AKAKA)) proposed an amendment to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 93, between lines 20 and 21, insert the following:

SEC. 222. None of the funds made available in this Act or any other Act may be used—

(1) to revoke or reduce a veteran's disability compensation for post-traumatic stress disorder based on a finding that the Department of Veterans Affairs failed to collect justifying documentation unless such failure was the direct result of fraud by the applicant; or

(2) for the implementation of Recommendation 3 of VA Inspector General Report No. 05–00765–137 or any related review and investigation of post-traumatic stress disorder unemployability and 100 schedular percent ratings cases, until the Department of Veteran's Affairs reports to the Committee on Appropriations on its plan for implementing this recommendation, and outlines the staffing and funding requirements.

SA 1865. Mrs. HUTCHISON (for Mr. DURBIN (for himself and Mr. OBAMA)) proposed an amendment to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 81, line 2, insert ''The VA shall conduct an information campaign in States with an average annual disability compensation payment of less than $7,300 (according to the report issued by the Department of Veterans Affairs Office of Inspector General on May 19, 2005), to inform all veterans receiving disability compensation, by direct mail, of the history of below average disability compensation payments to veterans in such States, and to provide all veterans in each such State, through broadcast or print advertising, with the aforementioned historical information and instructions for submitting new claims and requesting review of past disability claims and ratings: *Provided further,*'' after ''*Provided,*''.

SA 1866. Mrs. HUTCHISON (for Mr. JEFFORDS) proposed an amendment to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 93, between lines 20 and 21, insert the following:

SEC. 222. CLINICAL TRAINING AND PROTOCOLS.

(a) FINDINGS.—Congress finds that—

(1) the Iraq War Clinician Guide has tremendous value; and

(2) the Secretary of Defense and the National Center on Post Traumatic Stress Disorder should continue to work together to

ensure that the mental health care needs of servicemembers and veterans are met.

(b) COLLABORATION.—The National Center on Post Traumatic Stress Disorder shall collaborate with the Secretary of Defense—

(1) to enhance the clinical skills of military clinicians through training, treatment protocols, web-based interventions, and the development of evidence-based interventions; and

(2) to promote pre-deployment resilience and post-deployment readjustment among servicemembers serving in Operation Iraqi Freedom and Operation Enduring Freedom.

(c) TRAINING.—The National Center on Post Traumatic Stress Disorder shall work with the Secretary of Defense to ensure that clinicians in the Department of Defense are provided with the training and protocols developed pursuant to subsection (b)(1).

SA 1867. Mrs. HUTCHISON (for Mr. SALAZAR) proposed an amendment to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 93, between lines 20 and 21, insert the following:

SEC. 222. (a) The Secretary of Veterans Affairs shall immediately submit to the Committees on Veterans' Affairs and Appropriations of the Senate and the House of Representatives a report on any Department of Veterans Affairs budget shortfall totaling 2 percent or more of the Department's total discretionary funding budget for a fiscal year.

(b) The Secretary of Veterans Affairs shall, not later than 180 days after the date of the enactment of this Act, submit to the Committees on Veterans' Affairs and Appropriations of the Senate and the House of Representatives a comprehensive plan to improve long-term budget planning and actuarial forecasting at the Department of Veterans Affairs.

SA 1868. Mr. CRAIG (for Mr. SALAZAR) (for himself and Mr. BINGAMAN)) proposed an amendment to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 93, between lines 20 and 21, insert the following:

SEC. 222. (a) In conducting advanced planning activities under this Act, the Secretary of Veterans Affairs shall reevaluate Veterans Health Administration Handbook 1006.1 and other guidance and procedures related to planning, activating, staffing, and maintaining community-based outpatient clinics.

(b) In conducting such planning, the Secretary shall—

(1) revise as appropriate existing policies to make them less disadvantageous to rural veterans; and

(2) reexamine criteria used in planning, activating, staffing, and maintaining such clinics, including geographic access, number of Priority 1–6 veterans, market penetration, cost effectiveness, and distance to parent facilities, to determine whether such criteria are weighted in a manner that negatively affects rural veterans.

SA 1869. Mr. THOMAS (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 72, between lines 13 and 14, insert the following:

SEC. 130. (a) The amount appropriated by this title under the heading ''MILITARY CONSTRUCTION, AIR FORCE'' is hereby increased by $10,000,000, with the amount of such increase to be made available to carry out a storm water drainage system project at F.E. Warren Air Force Base, Cheyenne, Wyoming.

(b) The amount appropriated by this title under the heading ''MILITARY CONSTRUCTION, ARMY'' is hereby decreased by $10,000,000, and not more than $30,000,000 of the total amount appropriated under such heading may be made available for the barracks complex in Grafenwoehr, Germany.

SA 1870. Mr. FRIST (for Mrs. HUTCHISON) proposed an amendment to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 55, line 4, strike ''$191,393,000'' and insert ''$179,343,000''.

On page 55, line 10, following ''therefor'', strike ''.'' and insert '': Provided further, That of the amount provided for Military Construction, Army, $8,900,000 shall be available for Phase 1a of a Permanent Party Barracks at Fort Leonard Wood, Missouri, and $3,150,000 shall be available for an Airfield Fire Station at Fort Sill, Oklahoma.''

SA 1871. Mr. FRIST (for Mrs. HUTCHISON) proposed an amendment to the bill H.R. 2528, an act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 56, line 11, strike ''$103,347,000'' and insert ''83,626,000''.

On page 56, line 17, following ''therefor'', strike ''.'' and insert '': Provided further, That of the amount provided for Military Construction, Air Force, $5,721,000 shall be available for a B–2 Conventional Munitions Storage Facility at Whiteman Air Force Base, Missouri, and $14,000,000 for Phase 1 of Force Protection Enhancement at Vance Air Force Base, Oklahoma.''

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, October 6, 2005 at 10 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to evaluate and receive a status report on the Environmental Management programs of the Department of Energy.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact Clint Williamson 202–224–7556 or Steve Waskiewicz at 202–228–6195.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 22, 2005, at 10 a.m., to conduct a hearing on ''Examining the Financial Services Industry's Responsibilities and Role in Preventing Identity Theft and Protecting Sensitive Financial Information.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, September 22, 2005, at 10 a.m., on Communications in a Disaster, in SD–562.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Thursday, September 22, 2005, at 2:30 p.m., to conduct a hearing on the following pending nominations:

Environmental Protection Agency, George M. Gray, of Massachusetts, to be an assistant administrator of the Environmental Protection Agency.

Nuclear Regulatory Commission, Edward McGaffigan, Jr., of Virginia, to be a member of the Nuclear Regulatory Commission for the term of 5 years expiring June 30, 2010.

Department of the Interior, H. Dale Hall, of New Mexico, to be director of the United States Fish and Wildlife Service.

Environmental Protection Agency, Lyons Gray, of North Carolina, to be chief financial officer, Environmental Protection Agency.

Department of Commerce, Santanu K. Baruah, of Oregon, to be assistant secretary of Commerce for Economic Development.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the

Senate on Thursday, September 22, 2005, at 9 a.m., to hold a hearing on nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Subcommittee on Education and Early Childhood Development, be authorized to hold a hearing during the session of the Senate on Thursday, September 22 at 3 p.m. in SD–430.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Thursday, September 22, 2005, at 9:30 a.m. to hold a business meeting to consider pending committee business.

Agenda

Legislation

1. S. , Assure Emergency and Interoperable Communications for First Responders Act of 2005.

2. S. , an original bill to provide relief for the victims of Hurricane Katrina.

3. S. , a bill to expand the responsibilities of the Special Inspector General for Iraq Reconstruction to provide independent and objective audits and investigations relating to the federal programs for Hurricane Katrina.

4. S. 939, Disaster Recovery Act of 2005.

5. S. 1700, a bill to establish an Office of the Hurricane Katrina Recovery Chief Financial Officer.

6. S. , a bill to amend title 5, United States Code, to allow employees of the judicial branch to establish an emergency leave transfer program in the event of a major disaster or emergency.

7. S. 572, Homeland Security Food and Agriculture Act of 2005.

Nominations

1. Stewart A. Baker to be Assistant Secretary, U.S. Department of Homeland Security.

2. John R. Fisher to be Associate Judge, District of Columbia Court of Appeals.

3. Colleen D. Kiko to be General Counsel, Federal Labor Relations Authority.

4. Juliet J. McKenna to be Associate Judge, District of Columbia Superior Court.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup of Thursday, September 22, 2005 at 9:30 a.m. in Senate Dirksen Office Building Room 226.

Agenda

I. Nominations

John G. Roberts, to be Chief Justice of the United States; Timothy Flanigan, to be Deputy Attorney General.

II. Bills

S. 1088. Streamlined Procedures Act of 2005; Kyl, Cornyn, Grassley, Hatch;

S. ____. Personal Data Privacy and Security Act of 2005; Specter, Leahy, Feingold;

S. 751. Notification of Risk to Personal Data Act; Feinstein, Kyl;

S. 1326. Notification of Risk to Personal Data Act; Sessions;

S. 155. Gang Prevention and Effective Deterrence Act of 2005; Feinstein, Hatch, Grassley, Cornyn, Kyl, Specter;

S. 1086. A Bill to Improve the National Program to Register and Monitor Individuals Who Commit Crimes Against Children or Sex Offenses; Hatch, Biden, Schumer;

S. 956. Jetseta Gage Prevention and Deterrence of Crimes Against Children Act of 2005; Grassley, Kyl, Cornyn.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate for a hearing entitled, ''The Impact of Hurricane Katrina on Small Businesses'' on Thursday, September 22, 2005, beginning at 10 a.m. in room 428A of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS AFFAIRS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Vetearns' Affairs be authorized to meeting during the session of the Senate on Thursday, September 22, 2005, for a committee hearing titled ''Preserving Sacred Ground; Should Capital Offenders be Buried in America's National Cemeteries?'' The hearing will take place in Room 418 of the Russell Senate Office Building at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 22, 2005 at 2:30 p.m. to hold a closed markup on the fiscal year 2006 Intelligence Authorization.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, AND INTERNATIONAL SECURITY

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Subcommittee on Federal Financial Management, Government Information, and International Security be authorized to meet on Thursday, September 22, 2005, at 2:30 p.m. for a hearing regarding ''Cost and Payment Plans of Medicare Part D.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NATIONAL PARKS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Subcommittee on National Parks be authorized to meet during the session of the Senate on Thursday, September 22 at 2:30 p.m.

The purpose of the hearing is to receive testimony on the following bills: S. 435, a bill to amend the Wild and Scenic Rivers Act to designate a segment of the Farmington River and Salmon Brook in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes, S. 1096, a bill to amend the Wild and Scenic Rivers Act to designate portions of the system, and for other purposes, S. 1310, a bill to authorize the Secretary of the Interior to allow the Columbia Gas Transmission Corporation to increase the diameter of natural gas pipeline located in the Delaware Water Gap National Recreation Area, S. 1378, a bill to amend the National Historic Preservation Act to provide appropriation authorization and improve the operations of the Advisory Council on Historic Preservation, and S. 1627, a bill to authorize the Secretary of the Interior to conduct a special resources study to evaluate resources along the coastal region of the State of Delaware and to determine the suitability and feasibility of establishing a unit of the National Park in Delaware.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. BENNETT. Madam President, I ask unanimous consent that Senator MCCAIN's legislative fellow, Navy CDR Shawn Grenier, be granted floor privileges during consideration of H.R. 2528.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DAYTON. Mr. President, I ask unanimous consent that Kimberly Jackson on my staff be granted the privilege of the floor throughout my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROVIDING FOR CONTINUED EDUCATION OF STUDENTS AFFECTED BY HURRICANE KATRINA

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1764, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1764) to provide for the continued education of students affected by Hurricane Katrina.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1764) was read the third time and passed, as follows:

S. 1764

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

SECTION 1. DEFINITION OF STUDENT AFFECTED BY HURRICANE KATRINA.

In this Act, the term ''student affected by Hurricane Katrina'' means a student who resides or resided on August 22, 2005 in an area, or is enrolled or was enrolled on August 22, 2005 in a school located in an area, for which a major disaster has been declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) as a result of Hurricane Katrina.

SEC. 2. EDUCATION EXPENSES.

(a) IN GENERAL.—Upon the request of the Secretary of Education, the Secretary of Homeland Security may transfer any funds made available to the Federal Emergency Management Agency ''Disaster Relief Fund'' for Hurricane Katrina to the Department of Education for the education of students affected by Hurricane Katrina. Such funds shall only be used for expenditures for activities of educational agencies authorized under Federal law within the jurisdiction of the Department of Education, and for the following activities in support of students affected by Hurricane Katrina:

(1) Paying the compensation of personnel, including teacher aides, to provide instructional services.

(2) Paying the operational costs incurred by educational agencies as a result of educating such students.

(3) Purchasing instructional materials and equipment, including textbooks, used to educate such students.

(b) SPECIAL RULE.—Notwithstanding any other provision of this section, funds may be used for expenditures described in subsection (a) only if—

(1) the Secretary of Education makes a determination that such expenditures constitute an immediate need for the relief of students affected by Hurricane Katrina; and

(2) funds are not made available for such activities from other Federal sources.

SEC. 3. AVAILABILITY OF FUNDS.

(a) IN GENERAL.—Notwithstanding any other provision of law, any funds available to the Secretary of Education, the authority for which would be cancelled or otherwise expire on September 30, 2005, shall be available for obligation by the Secretary until September 30, 2006, but only to meet educational needs of students affected by Hurricane Katrina.

(b) EMERGENCY DESIGNATION.—Any funds available for obligation pursuant to subsection (a) are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

SEC. 4. ADVANCED NOTIFICATION OF CONGRESS.

(a) DEPARTMENT OF EDUCATION APPROPRIATIONS ACT, 2005.—Section 304 of the Department of Education Appropriations Act, 2005 (Public Law 108–447) is amended by striking ''15 days'' and inserting ''3 days''.

(b) CONSOLIDATED APPROPRIATIONS ACT, 2005.—Section 517 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2005 (Public Law 108–447) is amended—

(1) in subsection (a), by striking ''15 days'' and inserting ''3 days''; and

(2) in subsection (b), by striking ''15 days'' and inserting ''3 days''.

SEC. 5. SUNSET.

This Act shall be effective for the period beginning on the date of enactment of this Act and ending on September 30, 2006.

Mr. FRIST. Mr. President, this bill we just passed provides for the continued education of students who have been so severely affected by Hurricane Katrina.

I thank my colleague, the Senator from Texas, Mrs. HUTCHISON, for her tremendous leadership on this bill. It is a very important bill and a bill that has been a long time coming. We—especially she and her cosponsors—have aggressively worked in this regard to pass this bill. I am happy to yield to her at this time.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I thank the distinguished majority leader for helping us clear this legislation. This is a bill cosponsored by Senator LANDRIEU and Senator CORNYN. Twenty-eight States have taken students, who are victims of Hurricane Katrina, into their hearts, into their arms, into their shelters, and into their educational systems.

We have been passing legislation that would cut red tape and pay for certain items that are not covered by the law. One of the major areas for which we have not had a precedent is schoolchildren in great numbers going into public schools as a result of having to evacuate from an emergency disaster, such as Hurricane Katrina. That has been the case.

We have more than 45,000 evacuee students now in our Texas public schools. As everyone knows, there is no school district that can afford to absorb that number of students without help. The bill we have just passed will allow the money that has already been appropriated to be available for the Department of Education to pay for the extra teachers who are being hired. It is limited to children who are victims of Hurricane Katrina, and it also has a sunset. It is just for this school year. So this is not a new law that is going to put the Federal Government into public education throughout our country. But it is going to offset the costs of hiring teachers and buying school supplies for those students who have come to our State and 27 other States with nothing.

Today I am very proud of the Senate for passing this legislation to give these 28 States the help they need. The money will flow through the Department of Education. The Secretary of Education will have the authority to take some of the money that has already been appropriated by Congress for this purpose.

I applaud the Senate for passing this bill, and I look forward to it going through the House and being signed by the President.

I thank Senator FRIST so much for the help he has given in allowing the Senate to act quickly on this legislation.

I yield the floor.

NOMINATION OF ROBERT B. HOLLAND

Mr. FRIST. Mr. President, as in executive session, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of Robert Holland, PN447, that the Senate proceed to its consideration, that the nomination be confirmed, that the motion to reconsider be laid upon the table, and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

Robert B. Holland III, of Texas, to be United States Executive Director of the International Bank for Reconstruction and Development for a term of two years.

AMENDING THE INDIAN FINANCING ACT

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of S. 1758, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1758) to amend the Indian Financing Act of 1974 to provide for sale and assignment of loans and other security and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCAIN. Mr. President, today I rise in support of the Indian Fianancing Act Amendments of 2005, originally introduced as a component of the Native American Omnibus Act of 2005. I'm pleased to be joined by the vice chairman of the Senate Indian Affairs Committee, BYRON DORGAN, on this bill.

The Indian financing act amendments, amends the Indian finance act of 1974 to clarify that non-profit tribal entities are eligible for the BIA Loan Guaranty program. The amendments also raises the limit on the amount of loans to $1.5 billion from $500 million.

I look forward to working with my respective colleagues on both sides of the aisle to enact this legislation.

Mr. FRIST. Mr. President, I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1758) was read the third time and passed, as follows:

S. 1758

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

SECTION 1. LOAN GUARANTY AND INSURANCE.

(a) IN GENERAL.—Section 201 of the Indian Financing Act of 1974 (25 U.S.C. 1481) is amended

(1) by striking ''SEC. 201. In order'' and inserting the following:

''SEC. 201. LOAN GUARANTIES AND INSURANCE.

''(a) IN GENERAL.—In order'';

(2) by striking ''the Secretary is authorized (a) to guarantee'' and inserting ''the Secretary may—

''(1) guarantee'';

(3) by striking ''members; and (b) in lieu of such guaranty, to insure'' and inserting ''members; or

''(2) insure''; and

(4) by adding at the end the following:

''(b) ELIGIBLE BORROWERS.—The Secretary may guarantee or insure loans under subsection (a) to both for-profit and nonprofit borrowers.'' .

(b) SALE OR ASSIGNMENT OF LOANS AND UNDERLYING SECURITY.—Section 205 of the Indian Financing Act of 1974 (25 U.S.C. 1485) is amended—

(1) by striking ''SEC. 205.'' and all that follows through subsection (b) and inserting the following:

''SEC. 205. SALE OR ASSIGNMENT OF LOANS AND UNDERLYING SECURITY.

''(a) IN GENERAL.—All or any portion of a loan guaranteed or insured under this title, including the security given for the loan—

''(1) may be transferred by the lender by sale or assignment to any person; and

''(2) may be retransferred by the transferee.

''(b) TRANSFERS OF LOANS.—With respect to a transfer described in subsection (a)—

''(1) the transfer shall be consistent with such regulations as the Secretary shall promulgate under subsection (h); and

''(2) the transferee shall give notice of the transfer to the Secretary.'';

(2) by striking subsection (c);

(3) by redesignating subsections (d), (e), (f), (g), (h), and (i) as subsections (c), (d), (e), (f), (g), and (h), respectively;

(4) in subsection (c) (as redesignated by paragraph (3)), by striking paragraph (2) and inserting the following:

''(2) VALIDITY.—Except as provided in regulations in effect on the date on which a loan is made, the validity of a guarantee or insurance of a loan under this title shall be incontestable.'';

(5) in subsection (e) (as redesignated by paragraph (3))—

(A) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(B) by adding at the end the following:

''(2) COMPENSATION OF FISCAL TRANSFER AGENT.—A fiscal transfer agent designated under subsection (f) may be compensated through any of the fees assessed under this section and any interest earned on any funds or fees collected by the fiscal transfer agent while the funds or fees are in the control of the fiscal transfer agent and before the time at which the fiscal transfer agent is contractually required to transfer such funds to the Secretary or to transferees or other holders.''; and

(6) in subsection (f) (as redesignated by paragraph (3))—

(A) by striking ''subsection (i)'' and inserting ''subsection (h)''; and

(B) in paragraph (2)(B), by striking '', and issuance of acknowledgments,''.

(c) LOANS INELIGIBLE FOR GUARANTY OR INSURANCE.—Section 206 of the Indian Financing Act of 1974 (25 U.S.C. 1486) is amended by inserting ''(not including an eligible Community Development Finance Institution)'' after ''Government''.

(d) AGGREGATE LOANS OR SURETY BONDS LIMITATION.—Section 217(b) of the Indian Financing Act of 1974 (25 U.S.C. 1497(b)) is amended by striking ''$500,000,000'' and inserting ''$1,500,000,000''.

COMMENDING THE JAMES MADISON COUNCIL AND ITS FOUNDING CHAIRMAN, JOHN W. KLUGE

Mr. FRIST. I ask unanimous consent the Senate now proceed to the consideration of S. Res. 247, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 247) commending the Library of Congress's private-sector advisory body, the James Madison Council, and its Founding Chairman, John W. Kluge, on 15 years of exemplary service to Congress and the Nation and looking forward to the Council's continued success in the years ahead.

There being no objection, the Senate proceeded to consider the resolution.

Mr. STEVENS. Mr. President, I rise in support of a Senate resolution which I submitted commending the James Madison Council of the Library of Congress, which is celebrating its 15th year under the continuing strong leadership of its founding chairman, John Kluge.

The James Madison Council is the first private sector advisory body in the history of the Library of Congress. With the approval of the Joint Committee on the Library, which I have chaired and served on for many years, Librarian of Congress Jim Billington established the Council in 1990 as the Library's primary philanthropic body and link to the business community. It consists of public-spirited citizens dedicated to helping the Nation receive the full benefits of the Library of Congress's incomparable educational, scientific, technological, and cultural resources.

In its 15 years of unprecedented private support of the Library, the Madison Council has acquired hundreds of items for the collections that would have otherwise been unattainable through Federal appropriations alone, including the famous Waldseemuller map, the first map to bear the name ''America''; the $45 million dollar campaign to launch the National Digital Library, which provides free internet access to 10 million of the most important materials in the Library's collection; the Library's bicentennial celebration in 2000 which featured the recreation of Thomas Jefferson's library; the establishment of the John Kluge Center, a major scholarly center, and its accompanying Kluge Prize in the humanities; and the National Book Festival, in conjunction with First Lady Laura Bush, promoting literacy and the joys of reading, which is taking place this weekend.

This resolution commends and thanks the James Madison Council, particularly its chairman, John Kluge, one of the most patriotic and generous philanthropists I have known, and looks forward to its continued success in supporting the world's greatest library in the years ahead.

Mr. FRIST. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 247) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 247

Whereas the James Madison Council, the Library of Congress's first-ever national advisory and support group in the 205-year history of the Library of Congress is celebrating its 15th year under the continuing strong leadership of its Founding Chairman John W. Kluge;

Whereas the James Madison Council remains a loyal group of friends whose vision and generosity have made possible many new initiatives within America's oldest Federal cultural institution;

Whereas John Kluge has energized this group of dedicated and generous individuals from the private-sector to help this unique institution that was created by Congress to make added contributions for the good of the Nation;

Whereas John Kluge's example and leadership has benefitted not only the Library of Congress and Congress, but also scholars, researchers, and lifelong learners everywhere, and has created a new international award at the highest level for lifetime achievement in the study of humanity;

Whereas building on John Kluge's generosity, the James Madison Council has strengthened and enriched the world of scholarship in Washington, District of Columbia, and provided new on-line educational material for the classrooms of the Nation and the world;

Whereas the members of the James Madison Council have added a significant number of rare and historic materials of major importance to the national collection of the Library of Congress, such as the 1507 Waldseemüller map of the world, which was the first map to include America, made possible by members John Hendricks, Marguerite and Gerry Lenfest, and David Koch, the restoration of Thomas Jefferson's original library, which is the cornerstone of the Library's collections, thanks to Jerry Jones, a major private collection from members Jean and Jay I. Kislak, which documents the encounter between European explorers and the indigenous peoples of North America and, thanks to Jon and Lillian Lovelace, the Alan Lomax collection, which is the largest collection of ethnographic material ever assembled by one person; and

Whereas led by John Kluge, the James Madison Council has furthered the programs of the Librarian of Congress, James H. Billington, such as the National Digital Library, which provides free internet access to 10,000,000 of the most historically important and educationally valuable primary materials in the Library's collection, the National Book Festival, which celebrates the joys of reading, and the Library's Bicentennial celebration in the year 2000: Now, therefore, be it

Resolved, That the Senate commends the Library of Congress's private-sector advisory body, the James Madison Council, and its Founding Chairman, John W. Kluge, on 15 years of exemplary service to Congress and the Nation and looks forward to its continued success in the years ahead.

COMMEMORATING THE WEST OAHU LITTLE LEAGUE TEAM FOR WINNING THE 2005 LITTLE LEAGUE WORLD SERIES

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 248, submitted earlier today by Senator AKAKA.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 248) commemorating the West Oahu Little League Team for winning the 2005 Little League World Series.

There being no objection, the Senate proceeded to consider the resolution.

Mr. AKAKA. Mr. President, I rise today in support of resolutions congratulating the Ewa Beach little league team, the Oahu all-star team, and the Hawaii Warriors on their world championships. All three teams recently persevered through difficult competition to become world champions.

The Ewa Beach little leaguers competed in the Little League World Series held in Williamsport, PA. The team posted an impressive 7–6 win in the championship game, in which they came from three runs down to defeat the defending championship team from Curacao in extra innings.

The Oahu all-stars participated in the Cal Ripken World Series tournament held in Aberdeen, MD. In the championship game, the team used three pitchers to combine for a one hit shut-out as they prevailed by a score of 1–0 over the reigning champs, a very talented team from Mexico. A special congratulations to Kewby Meyer for being named Most Outstanding Player of the series.

The Hawaii Warriors won the 2005 Continental Amateur Baseball Association World Series, ages 9 and under. The team battled from behind in the final innings to win the championship game and complete the series with a perfect 9–0 record.

I am proud not only of the impressive wins but also of the humility and sportsmanship that the teams displayed as they won with aloha. All the teams represented the State of Hawaii, and the United States, very well.

I recognize the sacrifices many family members and friends made to support the teams. These young men were able to enjoy the athletic competitions because of their loving and caring families. I applaud these families' efforts and wish all the players and their families the best in future endeavors.

I look forward to hearing more about the success of our little leaguers as they continue to pursue their education and baseball ambitions. I also want to recognize all of the contributions from a Brookings Institution fellow in my office, Bill Ferraro.

I ask unanimous consent the Teams' rosters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WEST OAHU LITTLE LEAGUE, EWA BEACH, HAWAII TEAM ROSTER

#1, Layson Aliviado, 1B, P; #5, Harrison Kam, CF; #11, Ty Tirpak, RF; #12, Zachary Ramit, LF; #15, Ethan Javier, CF; #17, Vonn Feao, 3B, C; #18, Quentin Guevara, P, RF; #20, Sheyne Baniaga, P, 2B; #21, Michael Memea, C; #22, Zachary Rosete, LF; #24, Myron Enos, P, SS; #25, Alakai Aglipay, P, 3B. Coach: Tyron Kitashima. Coach: Clit Tirpak. Manager: Layton Aliviado.

OAHU ALL-STARS TEAM ROSTER

#0, Kalani Lagoc-Crawford, P, OF; #2, Jake Fujimoto, SS, OF; #5, Wilkins Kato, OF, 1B; #6, Ryan Yamane, OF, P; #7, Timmy Arakawa, SS; #11, Cory Quiamzon, OF; #14, Kash Kalohelani, C; #21, Joe Yokoi, 2B, OF; #22, Dylan Goto, 2B, OF; #23, Chris Sekiguchi, OF; #25, Ryan Cortez, 3B; #34, Jordan Deponte, 2B, P; #50, Kewby Meyer, 1B, P; #51, Gavin Okada, 2B, OF. Coach: Keith Oda. Asst. Coach: Staphe Fujimoto. Manager: Gerald Oda.

HAWAII WARRIORS TEAM ROSTER

Brett Choy, Chansen Fukushima, Joshua Inaba, Joshua Inouye, Ried Kimura, Seth Kinel, Luke Morris, Cal Muramaru, Sean Romo, Ryan Sato, Larry Tuileta. Coach, Paul Wallrabenstein III. Asst. Coach, Randy Inaba. Asst. Coach, Ricky Inouye. Asst. Coach, Dunn Muramaru. Asst. Coach, Paul Wallrabenstein, Jr.

Mr. FRIST. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table with no intervening action or debate, and that any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 248) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 248

Whereas on August 28, 2005, the West Oahu Little League Team from Ewa Beach, Hawaii, won the 2005 Little League Baseball World Series Championship;

Whereas the Ewa Beach team defeated the defending champions Curacao, 7-6, in a dramatic, come-from-behind victory in only the second extra-inning championship game in the history of the Little League World Series;

Whereas the victory marked the first Little League World Series championship for the State of Hawaii;

Whereas manager Layton Aliviado had the ability to instill 12 boys from Ewa Beach with the confidence and skills needed to remain focused and fight back to win after falling behind;

Whereas the team hit 13 home runs during the 6 game tournament, including 3 in the championship game victory;

Whereas the champions hit at least 1 home run in every tournament game, with Vonn Feao knocking out a tournament high 4, Michael Memea and Alakai Aglipay each hit 3, Sheyne Baniaga hit 2 (including the game winner in the United States semifinal), and Quentin Guevara hit 1;

Whereas Michael Memea's game-ending homer was a first in the history of the Little League championship game; and

Whereas all of the team's players showed tremendous dedication throughout the season and the tournament toward the goal of winning the World Championship and displayed great class and sportsmanship in victory: Now, therefore, be it

Resolved, That the Senate—

(1) commends the West Oahu Little League Team from Ewa Beach for winning the 2005 Little League Baseball World Series Championship;

(2) recognizes the achievements of all the team's players, coaches, and support staff, and invites them to the United States Capitol to be honored;

(3) urges the President to—

(A) recognize the achievements of the West Oahu Little League Team from Eva Beach; and

(B) invite the team to the White House for an appropriate ceremony honoring a world championship team; and

(4) directs the Secretary of the Senate to—

(A) make available enrolled copies of this resolution to the West Oahu Little League Team for appropriate display.

COMMEMORATION OF THE OAHU ALL-STARS AND THE HAWAII WARRIORS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 249, which was submitted earlier today by Senator AKAKA.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 249) commemorating the Oahu All-Stars for winning the 2005 Cal Ripken World Series and the Hawaii Warriors for winning the 2005 Continental Amateur Baseball Association World Series, ages 9-under.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to this measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 249) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 249

Whereas on August 21, 2005, the Oahu All-Stars won the 2005 Cal Ripken World Series;

Whereas the team from Oahu worked together in the 1 hit shutout title game to beat the series reigning champs, Team Mexico;

Whereas the manager and coaching staff, Gerald Oda, Keith Oda, and Staphe Fujimoto, respectively, had the ability to instill 14 boys from Oahu with the confidence and skills needed to succeed in a world competition;

Whereas Kewby Meyer was named the Most Outstanding Player in the series;

Whereas Kewby Meyer, Timmy Arakawa, Gavin Okada, and Kalani Lagoc-Crawford were named to the 2005 United States All World Series Team and Kash Kalohelani, Ryan Cortez, and Ryan Yamane were named to the 2005 All Defensive Team;

Whereas on August 5, 2005, the Hawaii Warriors won the 2005 Continental Amateur Baseball Association World Series (ages 9-under) championship game;

Whereas the team battled from behind in the final innings of the championship game to beat the Cincinnati Flames and complete the series with a perfect 9-0 record; and

Whereas all of the teams' players showed tremendous dedication throughout their tournaments toward the goal of winning World Series Championships and displayed great class and sportsmanship in victory: Now, therefore, be it

Resolved, That the Senate—

(1) commends the Oahu All-Stars for winning the 2005 Cal Ripken World Series title game and the Hawaii Warriors for winning the 2005 Continental Amateur Baseball Association World Series (ages 9-under);

(2) recognizes the achievements of all the teams' players, coaches, and support staff, and invites them to the United States Capitol to be honored;

(3) urges the President to—

(A) recognize the achievements of the Oahu All-Star team and the Hawaii Warriors team; and

(B) invite the teams to the White House for an appropriate ceremony honoring these world championship teams; and

(4) directs the Secretary of the Senate to—

(A) make available enrolled copies of this resolution to the Oahu All-Star team and the Hawaii Warriors team for appropriate display.

GOALS AND IDEALS OF GOLD STAR MOTHERS' DAY

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 250, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 250) supporting the goals and ideals of Gold Star Mothers' Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 250) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 250

Whereas the American Gold Star Mothers have suffered the supreme sacrifice of motherhood by losing sons and daughters who served in the Armed Forces, and thus perpetuate the memory of all whose lives were sacrificed in our wars;

Whereas the American Gold Star Mothers assist veterans of the Armed Forces and their dependents in the presentation of claims to the Veterans' Administration, and aid the men and women who served and died or were wounded or incapacitated during hostilities;

Whereas the services rendered to the United States by the mothers of America have strengthened and inspired our Nation throughout our history;

Whereas we honor ourselves and the mothers of America when we revere and emphasize the role of the home and the family as the true foundations of our Nation;

Whereas by doing so much for the home, the American mother is a source of moral and spiritual guidance for the people of the United States and thus acts as a positive force to promote good government and peace among all mankind; and

Whereas September 25, 2005, is being recognized as Gold Star Mothers Day: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of Gold Star Mothers Day; and

(2) calls on the people of the United States to observe such day with appropriate ceremonies and activities.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS

AMENDMENTS NOS. 1870 AND 1871

Mr. FRIST. Mr. President, notwithstanding passage of H.R. 2528, I ask unanimous consent that the two amendments at the desk be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (Nos. 1870 and 1871) were agreed to, as follows:

AMENDMENT NO. 1870

On page 55, line 4, strike ''$191,393,000'' and insert ''$179,343,000''.

On page 55, line 10, following ''therefor'', strike ''.'' and insert '': Provided further, That of the amount provided for Military Construction, Army, $8,900,000 shall be available for Phase 1a of a Permanent Party Barracks at Fort Leonard Wood, Missouri, and $3,150,000 shall be available for an Airfield Fire Station at Fort Sill, Oklahoma.''

AMENDMENT NO. 8171

On page 56, line 11, strike ''$103,347,000'' and insert ''$83,626,000''.

On page 56, line 17, following ''therefor'', strike ''.'' and insert '': Provided further, That of the amount provided for Military Construction, Air Force, $5,721,000 shall be available for a B–2 Conventional Munitions Storage Facility at Whiteman Air Force Base, Missouri, and $14,000,000 for Phase 1 of Force Protection Enhancement at Vance Air Force Base, Oklahoma.''

GOALS AND IDEALS OF INFANT MORTALITY AWARENESS MONTH

Mr. FRIST. Mr. President, I ask unanimous consent the HELP Committee be discharged from further consideration and that the Senate now proceed to the consideration of S. Res. 239.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 239) supporting the goals and ideals of Infant Mortality Awareness Month.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 239) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 239

Whereas infant mortality refers to the death of a baby before it reaches its first birthday;

Whereas the United States ranks 28th among industrialized nations in the rate of infant mortality;

Whereas in the United States, infant mortality increased in 2002, for the first time in more than 4 decades;

Whereas in 2002 the rate reached 7 deaths per 1,000 live births, which was the first increase since 1958;

Whereas the recent increase is a significant and troubling public health issue, especially for African American families, Native American families, and Hispanic families;

Whereas the infant mortality rate among African American women is more than double that of Caucasian women, according to a report produced by the National Healthy Start Association and by a related group supported by the health department of Allegheny County, in the State of Pennsylvania;

Whereas the Secretary of Health and Human Services has designated 2010, as the year by which certain objectives should be met with respect to the health status of the people of the United States;

Whereas such objectives, known as Healthy People 2010, include an objective regarding a decrease in the rate of infant mortality;

Whereas September 1, 2005, is the beginning of a period of several months during which there will be several national observances that relate to the issue of infant mortality, including the observance of October as Sudden Infant Death Awareness Month and November as Prematurity Awareness Month; and

Whereas it would be appropriate to observe September 2005, as Infant Mortality Awareness Month: Now, therefore, be it

Resolved, That the Senate supports the goals and ideals of Infant Mortality Awareness Month in order to—

(1) increase national awareness of infant mortality and its contributing factors; and

(2) facilitate activities that will assist local communities in their efforts to meet the objective, as established by the Secretary of Health and Human Service in Healthy People 2010, that the rate of infant mortality in the United States be reduced to a rate of not more than 4.5 infant deaths per 1,000 births.

MEASURE STAR PRINTED—S. 1692

Mr. FRIST. Mr. President, I ask unanimous consent that S. 1692, the Emergency Agricultural Disaster Assistance Act of 2005, be star-printed with the changes at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURES PLACED ON THE CALENDAR—S. 1745 AND S. 1748

Mr. FRIST. Mr. President, I understand there are two bills at the desk due for a second reading.

The PRESIDING OFFICER. The Senator is correct. The clerk will please read the titles of the bills for the second time.

The legislative clerk read as follows:

A bill (S. 1745) to expand the availability of resources under the Community Services

Block Grant Act for individuals affected by Hurricane Katrina.

A bill (S. 1748) to establish a congressional commission to examine the Federal, State, and local response to the devastation wrought by Hurricane Katrina in the Gulf Region of the United States especially in the States of Louisiana, Mississippi, Alabama, and other areas impacted in the aftermath and make immediate corrective measures to improve such responses in the future.

Mr. FRIST. Mr. President, in order to place the bills on the calendar under the provisions of rule XIV, I object to further proceeding en bloc.

The PRESIDING OFFICER. Objection being heard, the bills will be placed on the calendar.

MEASURE READ THE FIRST TIME—S. 1761

Mr. FRIST. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will please read the title of this bill for the first time.

The legislative clerk read as follows:

A bill (S. 1761) to clarify the liability of Government contractors assisting in rescue, recovery, repair, and reconstruction work in the Gulf Coast Region of the United States affected by Hurricane Katrina or other major disasters.

Mr. FRIST. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection being heard, the bill will receive its second reading on the next legislative day.

AMENDING THE UNITED STATES GRAIN STANDARDS ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1752, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1752) to amend the United States Grain Standards Act to reauthorize that Act.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1752) was read the third time and passed, as follows:

S. 1752

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

SECTION 1. REAUTHORIZATION OF ACT.

(a) IN GENERAL.—Sections 7(j)(4), 7A(l)(3), 7D, 19, and 21(e) of the United States Grains Standards Act (7 U.S.C. 79(j)(4), 79a(*l*)(3), 79d, 87h, 87j(e)) are amended by striking ''2005'' each place it appears and inserting ''2015''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on September 30, 2005.

ORDERS FOR MONDAY, SEPTEMBER 26, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 1 p.m. on Monday, September 26. I further ask consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then proceed to executive session for the consideration of Calendar No. 317, John Roberts to be Chief Justice of the United States. I further ask consent that the time from 1:30 to 2:30 be under the control of the majority leader or his designee, the time from 2:30 to 3:30 be under the control of the Democratic leader or his designee, 3:30 to 4:30 under majority control, and 4:30 to 5:30 under the control of the Democratic side.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE ACCOMPLISHMENTS

Mr. FRIST. Mr. President, the Senate does continue to make steady progress on the business of the American people. We are hard at work funding the basic obligations of Government.

Today, we passed the Military Construction Appropriations Act. The Military Construction appropriations bill funds the entire Department of Veterans Affairs along with the construction of all five branches.

It provides for cancer research and funding for our VA hospitals, along with covering the cost of our treasured national monuments. I congratulate Senators HUTCHISON and FEINSTEIN for accomplishing consideration and passage of that bill in a single day. It took the cooperation of a lot of Members and proves that we can go quickly through the appropriations process. Again, I thank both of them.

This morning we also passed with near unanimous support the Agriculture appropriations bill. I thank Senator BENNETT and Senator KOHL for their tremendous work and leadership on this important bill. The Agriculture bill targets spending on the needs of rural America, while also maintaining funding for essential food assistance programs. The bill is particularly important to farmers in States all across the country, but in particular I want to comment on my home State.

It provides $2 million for Appalachian Horticultural Research, a collaborative project between the USDA and the University of Tennessee to help trees fight and resist disease; about $955,000 for research into the best way to protect soil and water quality on farms which can suffer from heavy erosion; nearly $40 billion for the very successful Boll Weevil Eradication Program which will help cotton farmers continue to combat this destructive pest.

These programs, along with major funding for USDA's rural development programs and housing services, are helping farm areas around the country continue to feed America and, indeed, continue to help feed the world.

Last week we also passed a third appropriations bill, the Commerce-Justice-Science bill. In addition to funding basic Government business, it includes significant Katrina-related measures. More than 350,000 families have been made homeless by the Katrina disaster. The CJS bill provides Federal housing assistance of up to $600 per family per month for up to 6 months to get these families back on their feet. I commend my colleagues for remaining focused on the appropriations process so that we can also meet our responsibilities to the victims of Katrina. We have extraordinary challenges before us, and we are working hard to deliver meaningful relief in the gulf region in a fiscally responsible way.

We moved quickly in the initial days to allocate appropriate funding. We also lifted the burden of student loans for those displaced from colleges and universities. We made sure that FEMA had funding to cover their national flood insurance obligations, and we passed legislation to get the Federal courts back on track in the regions affected. Since then, we passed aggressive tax relief to encourage charitable giving and to help hurricane victims rebuild their homes, restore their possessions, find housing, and find jobs. All of this is only the first step. There will be more. Helping the victims of Hurricane Katrina recover and rebuild is a monumental undertaking, an undertaking this body is focused on. We understand the absolutely critical importance of doing this in a fiscally responsible way, with full accountability and full transparency. This is America. America is up to the challenge. The Senate will continue to do its work moving forward in this regard.

PROGRAM

Mr. FRIST. Mr. President, next week we will begin to debate the nomination of Judge John Roberts to be America's Chief Justice. I am confident it will be a continuation of a process that has been quite dignified and civil. We will continue that momentum as we go through next week. A final vote on his nomination will be held on Thursday, and I look forward to a full and robust debate that brings credit to this great institution. Our duty to advise and consent on the selection of Supreme Court Justices is perhaps one of our most solemn obligations. I thank my colleagues for their continuing hard work in this regard.

In summary, the order we have laid out provides that we will begin the Roberts nomination on Monday. We were prepared to have Senators deliver

opening statements during Friday's session. However, nobody has come forward with a specific request to speak. Therefore, we will return on Monday and proceed to executive session to begin that debate.

I mentioned earlier that we will vote on Monday, and Senators should expect that vote to begin somewhere around 5:30. We are clearing a number of legislative items, and we will announce on Monday what that vote will be.

I encourage my colleagues to take advantage of Monday and early Tuesday to speak on the Roberts nomination. Senators should not delay—please do not—their statements until Wednesday. The vote on the nomination will be next week. We will be prepared to remain in session as late as necessary to accommodate Members' speeches. I know that most all Members will either want to come to the floor or submit their statements to the RECORD, and we will accommodate them. Again, I encourage them, so we won't have this great rush on Wednesday or Thursday morning, to come Monday and Tuesday and make their addresses.

ADJOURNMENT UNTIL 1 P.M. MONDAY, SEPTEMBER 26, 2005

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:28 p.m., adjourned until Monday, September 26, 2005, at 1 p.m.

NOMINATIONS

Executive nominations received by the Senate September 22, 2005:

DEPARTMENT OF DEFENSE

DORRANCE SMITH, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE VICTORIA CLARKE.

EXECUTIVE OFFICE OF THE PRESIDENT

KATHERINE BAICKER, OF NEW HAMPSHIRE, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS, VICE HARVEY S. ROSEN, RESIGNED.

MATTHEW SLAUGHTER, OF NEW HAMPSHIRE, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS, VICE KRISTIN J. FORBES, RESIGNED.

DEPARTMENT OF STATE

BENSON K. WHITNEY, OF MINNESOTA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO NORWAY.

DAVID M. HALE, OF NEW JERSEY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE HASHEMITE KINGDOM OF JORDAN.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

JOHN O. AGWUNOBI, OF FLORIDA, TO BE MEDICAL DIRECTOR IN THE REGULAR CORPS OF THE PUBLIC HEALTH SERVICE, SUBJECT TO THE QUALIFICATIONS THEREFOR AS PROVIDED BY LAW AND REGULATIONS.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. DANIEL P. LEAF, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL D. MAPLES, 0000

DISCHARGED NOMINATION

The Senate Committee on Foreign Relations was discharged from further consideration of the following nomination and the nomination was confirmed:

ROBERT B. HOLLAND III, OF TEXAS, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF TWO YEARS.

CONFIRMATION

Executive nomination confirmed by the Senate: Thursday, September 22, 2005:

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

ROBERT B. HOLLAND III, OF TEXAS, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF TWO YEARS.

EXTENSIONS OF REMARKS

RECOGNIZING JOHN L. JERMAIN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize John L. Jermain of Conception Junction, Missouri. John celebrated his 80th birthday on July 12, 2005 and it is my privilege to offer him my warmest regards on achieving this important milestone.

In addition to being a fine grandfather, Mr. Jermain is a respected farmer and dedicated community member in Conception Junction. He fought for the United States of America with honor in Korea, and I am grateful for Mr. Jermain's patriotism and service to our nation.

Mr. Speaker, I proudly ask you to join me in recognizing John L. Jermain. It is an honor to represent him in the United States Congress, and I wish him all the best for many more birthdays in the future.

AUGUSTINE GALLEGO: THE SAN DIEGO CHICANO FEDERATION'S LIFETIME ACHIEVEMENT AWARD

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. FILNER. Mr. Speaker, Augustine ''Augie'' Gallego has provided decades of leadership to our community through his distinguished career in higher education.

Named chancellor of the San Diego Community College District in 1990, Augie exemplified the values of lifelong learning. A leading proponent of improving diversity in education and the workplace, Augie collaborated with elementary and secondary schools, universities and employers to broaden access for all individuals.

In 2002, Augie led the $685 million capital improvement campaign for the San Diego Community College District. As the bond campaign leader and chief fundraiser, Augie met with community groups, business and community leaders, giving more than 50 presentations during a three-month period. During that time, he raised a vast majority of the $600,000 needed for the ''Yes on Proposition S'' public awareness campaign and endorsements from both Democrat and Republican members of Congress, the State Legislature, San Diego City Council and the San Diego Taxpayers Association. Today, the San Diego Community College District has experienced many improvements as a result of Augie's efforts.

Augie continues to initiate efforts within the Community College District and to assist other community colleges to expand international programs, exchanges and expanding curriculums to improve understanding and appreciation of diverse cultures throughout the world. He has served as the chairman of the board of directors for the International Community Foundation, a San Diego-based organization committed to fostering lasting philanthropy to benefit international communities throughout the Americas and Asia in the areas of education, community development, health, the environment and cultural endeavors. The organization recently granted awards to support projects in Mexico, China, India, El Salvador, Ecuador and Canada.

Augie has an extensive background in public service and has served on the board of directors for the San Diego Dialogue (a public policy organization based at the University of California, San Diego), the International Community Foundation, United Way of San Diego County and the Commission on Children, Youth and Families.

He has clearly demonstrated dedicated, selfless and meaningful work that has made a positive difference in the lives of thousands of people in our community and throughout the world.

Congratulations, Augie, on this Award for Lifetime Achievement!

THE CUBAN GOVERNMENT'S SUCCESSFUL METHODS OF RESPONDING TO HURRICANES

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. KUCINICH. Mr. Speaker, Everyone acknowledges that the United States has lessons to learn from the disgraceful Federal and local response to Hurricane Katrina. Even the President has ordered a review of the government response to the hurricane and declared that necessary changes must be made to be better prepared for the future. Perhaps we could learn lessons from an island just 90 miles south of Florida that is frequently buffeted by hurricanes. Yesterday CNN aired the following story about the Cuban Government's successful methods of responding to hurricanes:

CNN TRANSCRIPT: HURRICANE RITA, LESSONS FROM CUBA?

SEPT. 20, 2005.—Lloyd: You hear a lot about evacuations as a hurricane nears; yesterday, the mayor of Galveston, Texas—where Rita could be headed—declared a state of emergency in that city. She also said mandatory evacuations will start today. In Cuba, which sits on the northern edge of the Caribbean Sea, the government usually has strict guidelines in place for hurricanes. Lucia Newman went to the island nation to bring us this story about Cuba's secrets for saving lives.

Lucia Newman, CNN reporter: Cuba is the largest and most populated island in the Caribbean yet it consistently experiences the lowest death tolls during hurricane season. According to United Nations, it's not because Cubans are lucky but because they're prepared.

''We were prepared for a big one, and big it was,'' says this man of Hurricane Ivan. He and nearly 2 million others were evacuated from low lying areas and fragile buildings ahead of the hurricane. Nobody was killed.

Preparations for a hurricane start well in advance. The same system that gives the communist state total political and economic control is used efficiently to mobilize the nation to face natural disasters.

State run television and the civil defense authority bombard the population with information and instructions about what measures to take. On every block, there's a person assigned to take a census on who is being evacuated to which shelter, with special attention paid to the elderly and pregnant women.

''We have a list, and tell each person where they have to go and there, they're taken care of,'' says Llance Perez.

In the fishing village of La Coloma, which is vulnerable to hurricane flooding, a massive evacuation was mandatory. The police and army were responsible for guaranteeing there was no looting. Electricity is cut ahead of the hurricane to prevent electrocutions.

After Hurricane Ivan, the seaside village of Las Canas looked like a ghost town. Its residents evacuated days earlier. But while many lost much of their belongings, at least no one had to cry over the loss of a loved one. Lucia Newman, CNN, Havanna.

RECOGNIZING JOHN STACY

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. WESTMORELAND. Mr. Speaker, I rise today to recognize the accomplishments of a great American, John Stacy. It is my privilege to bring before the House of Representatives the occasion of his 60th birthday.

John Stacy was born on October 5, 1945 in Coleman, KY to his proud parents, John and Bertha Stacy. After he completed his education, he began serving his country, entering the United States Marine Corps in June of 1965. After completing the rigors of boot camp, he went on to serve in a number of capacities, including the area of Motor Pool Transport, as a colonel's personal driver, then as a career planner and a member of the Hostage Negotiations Team. Eventually he became an instructor for the Officer Advanced Course for Military Police.

He also served overseas on a number of occasions between 1966 and 1981, including a tour in Vietnam, two tours of duty in Okinawa, and time at Subic Bay in the Philippines.

During this time, John was continuing to rise through the ranks, achieving the rank of gunnery sergeant. But others saw the distinction he brought to his duties, and he was recognized as the Marine Corps Outstanding Military Citizen for Georgia in 1984.

In 1985, John retired from the Marines at his gunnery sergeant rank after 20 years of service to our Nation and to our freedoms.

That alone would seem to be enough to make a life worthwhile. But as those of us who have friends who are Marines know, a Marine never truly retires.

And John didn't retire either—he had begun working with the Boy Scouts of America before finishing his time with the Marine Corps, and his "retirement" from the Marines only meant he had more time to invest in the lives of others. He served with the Boy Scouts for a total of 10 years, working as a camp ranger and the program director of Camp Osborn. During that time, he had an active role in molding the lives of young men through the Boy Scouts, and led them by his example of service as he helped turn those boys into men.

But John wasn't finished yet. His experience in police duties and law enforcement led to the request that he serve as executive director of the Georgia Association of Chiefs of Police, GACP, the largest professional association for law enforcement administrators in the State of Georgia. In that role, he took an active part in ensuring law enforcement was effectively represented at the State Capitol, and that the more than 1,000 executives representing agencies from across the State had their voices heard. The position with the GACP also moved John and his family to Columbus, GA.

Soon John received another call to service, and saw his influence grow wider. Senator Paul Coverdell needed regional representatives as he sought to put his staff together to effectively serve constituents from across the State after his election in 1992. John served effectively in that position, representing the Senator, and serving people in need from around the area.

Tragically, however, Senator Coverdell passed away while in office after a stroke, and Zell Miller, a former Governor of Georgia, was appointed to fill the great void left by the death of Senator Coverdell.

After the transition was complete, Senator Miller asked John to stay on his staff, and he continued to serve as regional director, and eventually assisted in the opening of an office in Young Harris, the Senator's hometown.

John continued to serve with Senator Miller until the Senator's retirement at the conclusion of his term in January of this year. And, as my term in the U.S. Congress began, John came on to my staff as my district director. He has served with distinction already, and his knowledge of the people of the Eighth District has been invaluable.

But if you set aside all the things a person has done, you can always learn a lot about a man by his family. And John meets that test as well. During all of his service to our Nation and the great State of Georgia, John has been married to a truly wonderful lady, his wife Elaine. They have just celebrated their 39th wedding anniversary. And John is the father of two children, Graham and Janet, who continue to carry on their father's vision of service to others.

And this great man, and great American, who has achieved so much, is now celebrating his 60th birthday.

Mr. Speaker, I lay before you the life and achievements, so far, of a great American, and hope all the House will join me in wishing him the best birthday wishes as he continues to serve all of us in this country.

RECOGNIZING ANDREW S. CARLISLE FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Andrew S. Carlisle, son of David and Susan Carlisle of Saint Joseph, MO. Andrew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 31, and by earning the most prestigious award of Eagle Scout. Andrew will receive his Eagle Award on October 2, 2005 at Saint Francis Xavier Parish Center.

Andrew has been very active with his troop, participating in many Scout activities. Over the 5 years Andrew has been involved with scouting, he has earned numerous merit badges, honors, and leadership positions. Andrew has served his troop as assistant patrol leader, patrol leader, assistant senior patrol leader, senior patrol leader, quartermaster, and troop guide. Andrew is a member of the Tribe of Mic-O-Say and completed Junior Leader Training. During his years in the scouts, Andrew spent 5 years at summer camp, and participated in canoe trips down the Niangua River. For his Eagle Scout project, Andrew did trail work at Bluff Woods Conservation Area.

Mr. Speaker, I proudly ask you to join me in commending Andrew S. Carlisle for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATING NASA AND THE "DISCOVERY" CREW

HON. TOM DeLAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. DELAY. Mr. Speaker, I rise in strong support of the gentleman from California's resolution honoring the men and women who led, launched, and piloted Space Shuttle *Discovery* out of our atmosphere, and into history.

I had the opportunity earlier this afternoon to visit with *Discovery's* crew: Commander Eileen Collins, Jim Kelly, Charlie Camarda, Wendy Lawrence, Soichi Noguchi, Steve Robinson, and Andy Thomas.

I have met them before, and they're as impressive in person as they will be in the history books.

Last month, these seven astronauts—and the entire NASA family—took President Bush's new Vision for Space Exploration and turned it into a reality, taking the first small steps into the space age of the 21st century.

The president's vision calls for the shuttle's return to flight to be followed by the completion of the International Space Station, the development of a new crew exploration vehicle, and eventual missions back to the moon and on to Mars.

Discovery's mission to the space station began that process, and earlier this week, NASA announced its design and plans for the new spacecraft.

America's space program is on a roll, and we will build on that momentum, Mr. Speaker, all the way from here to the red planet.

The men and women of NASA represent the courage and drive that got our Nation into space and on the surface of the moon four decades ago.

That spirit is now igniting a new generation of astronauts and engineers, who will take our Nation ever higher, ever farther, ever deeper into the unknown.

The NASA community—whether here on earth or high above—have done heroic work in the last 2 years refocusing their efforts toward the president's vision.

The goals he has put before them would seem almost impossible to most people—and that's exactly how our space community likes it.

Congress and the entire Nation owe the *Discovery's* crew—and NASA's earthbound support staff—a debt of gratitude for their successful mission, and the only way to repay that debt is to make sure we work to finish the job they have so bravely started.

RECOGNITION OF BAYAUD INDUSTRIES

HON. BOB BEAUPREZ

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. BEAUPREZ. Mr. Speaker, I would like to take this opportunity today to recognize Bayaud Industries, a non-profit corporation whose sole purpose is to provide job training and placement to the mentally and physically disabled in my home state of Colorado.

Founded in 1969, Bayaud Industries has provided services to over 5,000 disabled individuals and is currently counseling 200 people per year. Even after placement, Bayaud Industries continues its support, making sure that each of their clients has a case worker they can turn to, once they begin their first job.

According to the National Mental Health Association "the unemployment rate in the United States for individuals with disabilities is approximately 75 percent, the unemployment rate for individuals with psychiatric disabilities are even higher at 80 percent". People who have the ability to go work find satisfaction in their jobs because It gives them the opportunity to do something useful everyday, sadly, many with disabilities feel they have to live without this sense of accomplishment. Employment can give any person a strong sense of pride and belonging, this is the goal Bayaud Industries has accomplished for over the past 35 years.

The need for companies such as Bayaud Industries is apparent; Bayaud creates an invaluable link between the American workforce and the disabled. Mr. Speaker, I not only commend the actions of this company with their dedication to the physically and mentally disabled, but also for their commitment to businesses across Colorado.

REGARDING AMERICAN GOLD STAR MOTHERS DAY

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. TIAHRT. Mr. Speaker, this Sunday, September 25th, is American Gold Star Mothers' Day. This important day honors not only fallen patriots, but the grieving families they left behind.

Throughout our America's history, brave men and women have left their mothers and fathers to take up arms in defense of this Nation and its ideals. Sadly, many of these heroes never return home. Although our nation will be forever grateful of their ultimate sacrifice, too often we do not remember the sacrifice of their families, especially mothers, who are left behind.

For over 75 years, the American Gold Star Mothers organization has stood strong in support of mothers who have lost their children in service to this country. Serving as a support group and a service organization, American Gold Start Mothers, Inc is a shining example of American compassion and strength. I am thankful to have an American Gold Star Mothers' chapter in Wichita, tirelessly serving and supporting one another in south-central Kansas.

This Sunday, I hope we can all take a moment to remember the sacrifices made for this country and say a prayer for the families that were left behind. I know that it is not natural for a parent to experience the loss of a child. They deserve our love, support and gratitude. We will never forget those who served and those who lost.

May God bless America, and may God bless our Gold Star Mothers.

RECOGNIZING DR. JOHN R. DIXON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Dr. John R. Dixon of Brookfield, Missouri. Dr. Dixon will celebrate his 100th birthday on September 14th, and the town of Brookfield will be honoring Dr. Dixon's birthday with a parade among other festivities. It is my privilege to offer Dr. Dixon my warmest regards on achieving this important milestone.

Dr. Dixon was born on September 14, 1905. In 1931, Dr. Dixon opened his first medical practice as a physician and surgeon in Linneus, Missouri, a few miles northwest of Brookfield. In 1935, Dr. Dixon joined the Missouri National Guard which began a long career of patriotic service to our national through the Armed Services. Dr. Dixon served the United States of America with honor as a flight surgeon in World War II, Korea, and Vietnam.

Dr. Dixon still maintains his license to practice medicine, plays golf once a week, and drives himself. He is an active, vibrant, and healthy member of the community.

Mr. Speaker, I proudly ask you to join me in recognizing Dr. John R. Dixon of Brookfield, Missouri as he begins his tenth decade. It is an honor to represent him in the United States Congress.

SAM DURAN: THE SAN DIEGO CHICANO FEDERATION'S COMMUNITY SERVICE AWARD!

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. FILNER. Mr. Speaker, Sam Duran has devoted more than 30 years of his life to empowering, advocating and improving the lives of inner city youth. As the founding chief executive (CEO) of the Urban Corps of San Diego, Sam has grown the organization from its original budget of $120,000 to more than $5 million. Under his direction, the organization has been responsible for training, employing and providing educational opportunities for 5,700 at-risk youth.

The mission of the Urban Corps of San Diego is to provide job training and educational opportunities to young adults in the fields of conservation, recycling and community service, which assists them in becoming more employable, while protecting San Diego's natural resources and instilling the importance of community involvement.

Sam's passion is empowering youth. He inspires leadership by helping young people provide for themselves through solid education and environmental job training within a structured environment. It has been through Sam's continuous personal belief and commitment to empowering underprivileged youth from all walks of life, and giving back to the community through integrity and hard work, that the Urban Corps of San Diego has had the honor of being the only conservation corps to have ever received a grant from the Smithsonian Museum to conduct a survey of all outdoor sculptures in the county of San Diego. The Urban Corps assessed and cataloged the condition of San Diego's outdoor sculptures in order for the Smithsonian to begin the important and much-needed work of repairing and preserving them for future generations to cherish and enjoy.

He has been a committed community leader, environmentalist and activist for his entire adult life. During his tenure as Academy Superintendent for the California Conservation Corps from 1978–1980, Sam oversaw the life skills training for 740 youth per month. As a board member of the National Association of Service and Conservation Corps, Citizens for Clean Air Policy and EarthShare of California, he is actively involved in statewide conservation efforts and has contributed to the empowerment of youth in the conservation and environmental fields through education and vocational job training.

Sam also served as the Deputy Director of Eureka Communities, a nonprofit organization created by San Diego philanthropist Deborah Szekely, to increase the capacity of executive directors of community-based organizations to improve the lives of children, youth and families in need. In that role, he encouraged other nonprofit leaders to raise environmental awareness in their organizations and communities; to better the lives of disadvantaged children and youth; and to create forums for learning exchanges that would expose leaders to effective methods and best practices throughout San Diego and the nation.

In addition to his service on the task force created to advise President Bill Clinton on AmeriCorps, Sam serves on the boards of the San Diego Juvenile Justice Prevention Commission, the San Diego Maritime Museum, the Conservation Corps State Museum, San Diego Riverpark Foundation and the Farmworkers Institute for Education & Leadership Development (FIELD).

Sam is also a decorated Vietnam veteran who holds a Bronze Star and an Air Force Commendation with two Oak leaf clusters.

Congratulations, Sam, on this Award for Community Service!

RECOGNIZING DR. FRANK BROWN

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. WESTMORELAND. Mr. Speaker, I recognize the accomplishments of a great citizen of the Eighth Congressional District, Dr. Frank Brown.

Dr. Brown is best known to those of us from Georgia as the President of Columbus State University, and has served in that capacity since 1988. Dr. Brown has overseen the dramatic growth of the university, and worked closely with the City of Columbus to make the school a central part of the city.

But we were able to see another side of Dr. Brown last month, when he was awarded the Distinguished Citizen Award by the Boy Scouts of America, Chattahoochee Council. The Chattahoochee Council gives the award to recognize an individual or group that undertakes outstanding service to our nation, the state, or the local community. By presenting the award, the Chattahoochee Council calls attention to the honors the contributions and good works of individuals.

Dr. Brown is a worthy recipient, due to his commitment to his community. It is my privilege to lay such an achievement before the House.

IN HONOR OF THE OPENING OF THE ANDERSON-ABRUZZO INTERNATIONAL BALLOON MUSEUM

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. UDALL of New Mexico. Mr. Speaker, it is my great pleasure to rise today to commemorate the opening of The Anderson-Abruzzo International Balloon Museum, in Albuquerque, New Mexico. This museum celebrates and honors the long-standing tradition of ballooning in the Land of Enchantment. This opening is the culmination of a tremendous effort on the part of the Anderson and Abruzzo families and devoted friends and business partners, all of whom have shared in the vision and dream to create a world class collection of ballooning memorabilia and equipment.

The exhibits and programs stand as a testament to the history, science and art of ballooning. This museum will be a significant addition to the city known as the "The Balloon Capital of the World" and will prove to be a wonderful complement to Albuquerque's annual International Balloon Fiesta.

This commanding building is a fitting tribute to Albuquerque balloonists Ben Abruzzo and Maxie Anderson who are recognized internationally for their first non-stop crossing of the Atlantic Ocean by gas balloon. Not only will this museum serve as a constant reminder of their legacies, but it will also offer extensive and educational exhibits that will inform and broaden ballooning enthusiasts for years to come.

The Anderson-Abruzzo International Balloon Museum will serve as an educational institution. The museum's innovative educational outreach plan includes field trip opportunities, lectures, and an emphasis on integrating the Balloon Museum into the Albuquerque Public Schools curriculum.

I am pleased to congratulate the Anderson-Abruzzo International Balloon Museum and all of those whose efforts and contributions have made this opening possible. I would like to especially thank the Anderson and Abruzzo families, whose vision and continued dedication have been the driving factor in the museum's completion. I would also like to thank the City of Albuquerque for embracing and financing this project. I am proud to join the community in celebrating this amazing new addition to New Mexico. Mr. Speaker, I ask that all my colleagues rise to congratulate the many professionals and volunteers who have helped to make this wonderful new museum a reality.

THE INTRODUCTION OF THE TEMPORARY AGRICULTURAL LABOR REFORM ACT OF 2005

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. GOODLATTE. Mr. Speaker, I rise today to introduce, along with my friend and colleague Representative MARION BERRY of Arkansas, the Temporary Agricultural Labor Reform Act of 2005, a bi-partisan bill to reform the H–2A guest worker program. As Chairman of the House Agriculture Committee, I have traveled across the nation and seen first-hand that the H–2A temporary visa process is not working. I have talked face to face with producers who have to deal with participating in a costly, time-consuming and flawed program. For example, employers have to comply with a lengthy labor certification process that is slow, bureaucratic and frustrating. In addition, they are forced to pay an artificially inflated wage rate. My bill will streamline the cumbersome requirements of the current H–2A program to make it a more viable option for our nation's farmers.

Likewise, as a long-time Member of the House Judiciary Committee, I understand the immigration problems that currently face our country. Illegal immigration penalizes those legal immigrants and citizens who play by the rules. It is estimated that there are over 10 million illegal aliens currently living in the United States. This population grows by over 350,000 each year. Clearly, this situation has reached crisis proportions and cannot be allowed to continue.

Some believe that the only way to reform the guest worker program is by including amnesty provisions and allowing illegal aliens to adjust to Legal Permanent Resident (LPR) status. However, this would create the wrong incentive by encouraging foreign nationals to come into the country and break our laws. Amnesty is unfair to those foreign nationals trying to comply with our laws and encourages more people to come into the U.S. illegally with the thought that they, too, will get rewarded for their illegal actions in the future.

My bill would not grant an amnesty. Instead, it would require that anyone wishing to participate in the guest worker program must first return to their home country and apply from there to participate legally. This requirement will help us track who is entering our country and will create an incentive for those currently present illegally to return home and begin the process again while respecting our immigration laws.

In addition, this legislation would address a troublesome wage issue. Employers. are required to pay an inflated wage called the Adverse Effect Wage Rate or AEWR. The AEWR was designed to protect similarly situated domestic workers from being adversely affected by guest workers coming into the country on a seasonal basis and being paid lower wages. However, the shortage of domestic workers in the farm workforce forces employers to hire foreign workers, and thus, is also forcing them to pay an inflated wage. My bill abolishes this unfair wage and creates a prevailing wage standard, under which, all workers are paid the same wage as workers doing similar work in that region.

The facts are simple. Agriculture needs a reliable guest worker program. Workers need access to stable, legal, temporary employment. It is in our national security interest to create a sensible way for workers to come in on a temporary basis, work, and go back to their home countries. My bill addresses problems in the guest worker program, and I look forward to working with Representative BERRY and all of the Members of this body to reform this program and make it a more viable process for everyone involved.

HONORING MR. BRUCE DE YOUNG ON THE OCCASION OF HIS RETIREMENT

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. GARRETT of New Jersey. The work of educating our youth is one of the highest callings to which an individual may aspire. The values and information imparted to the minds of our children remain with them throughout their lives helping to guide their decisions and consequently, the directions of their families, communities, state, and our nation.

In recognition of the outstanding dedication of one man to this noble calling, I am pleased to extend my warmest commendation to Mr. Bruce De Young on the occasion of his retirement as Superintendent of Schools in the Ramsey, New Jersey Public School District.

Since 1992, Mr. De Young has served in the position of Superintendent of Schools, yet his dedication to education extends over many more years. Indeed, Mr. De Young has devoted thirty-six years to the field of education. From his position as Mathematics Supervisor for the Ramsey Public School District, to his tenure as Assistant Superintendent for Curriculum and Instruction, through his present position of Superintendent, Mr. De Young has enjoyed a career focused on providing the best education to his students.

Mr. De Young's contribution, however, reaches even beyond the classroom. As a member of the Legislative Committee of the New Jersey Association of School Administrators and a member of the Bergen County Association of School Administrators, the Association for Supervisors and Curriculum Development, and the National Council of Teachers of Mathematics, Mr. De Young has been willing to share his experience and knowledge for the purpose of bettering educational quality for countless students, both in New Jersey and across this great nation.

Moreover, through his willingness to mentor other Superintendents as they travel the path to permanent certification, Mr. De Young has ensured that his contribution to education will last not only throughout his career but also well into the future.

It is, therefore, with great honor and humility that I offer my sincerest appreciation and congratulations to Mr. De Young on the occasion of his retirement and I wish him a future filled with continued success.

RECOGNIZING BLAINE EVAN STECK FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Blaine Evan Steck of Kansas City, Missouri, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Blaine has been very active with his troop, participating in many Scout activities and earning numerous merit badges. I am especially proud of Blaine's accomplishment, because he received the Citizenship in the Nation Merit Badge for his visit to my Washington office and the Communications Merit Badge after writing a letter to me about the California legislature's attempt to prevent the Boy Scouts from using public facilities.

Mr. Speaker, I proudly ask you to join me in commending Blaine Evan Steck for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF THE RETIREMENT OF ROBERT MCEWAN AS EXECUTIVE DIRECTOR OF THE HOUSING AUTHORITY OF THE COUNTY OF CONTRA COSTA

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mrs. TAUSCHER. Mr. Speaker, I rise today to recognize the career contributions of Robert

McEwan to the Housing Authority of the County of Contra Costa and to the wider arena of affordable housing and redevelopment.

Bob has led the Housing Authority for 7 years as a director who values the knowledge and expertise of his employees, seeks their input, and earns their respect and loyalty for relating to them as he relates to everyone, fairly and sincerely.

During those 7 years, the Housing Authority faced and weathered a crisis of change in ways that the Federal Government compensates public housing authorities for the shelter and services they provide. Under Bob's leadership, at the prospect of shortfalls, the employees of the Housing Authority of Contra Costa did not retreat from their high quality standards of service to their customers and the community.

Bob has left his mark of professional excellence in the wider community of nonfederally funded affordable housing. The Bay Point 180-unit DeAnza Gardens Apartments, which he has served as corporation president, won the 2005 National Merit Award from the National Association of Housing and Redevelopment Officials. Bob has also served as a leader in local, regional and State organizations of his peers.

Mr. Speaker, I honor Bob McEwan today for his qualities of leadership by example, commitment to professional standards, and genuine regard for the welfare of the people who live in the housing he has devoted his professional life to providing.

''What do we all want?'' he asks about affordable housing. ''A safe community for our kids, an attractive environment, a home we are proud of. That's what DeAnza is all about''.

That's what Bob McEwan is all about. I wish him a blissful retirement in the company of his wife Jean, family, friends, fellow fishermen, and, on occasion, the surprised fish, fresh from a mountain stream, having an unexpected out-of-water experience.

COMMENDING THE CLEBURNE LIONS CLUB ON ITS 85TH ANNIVERSARY

HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. EDWARDS. Mr. Speaker, I rise today to congratulate the Cleburne Lions Club on its 85th Anniversary.

The Cleburne Lions Club was chartered on October 20, 1920 with 27 members with J. R. Keith as its first President and is the largest and most active service club in Johnson County and a member of Lions Clubs International—the world's largest service organization.

From its very beginning, the Cleburne Lions Club has been a vital part of the community—touching the lives of countless Cleburne and Johnson County citizens through humanitarian efforts and public service.

The Cleburne Lions Club provides funding for the Texas Lions Camp for Handicapped and Diabetic Children, the Texas Lions Foundation (Humanitarian and Disaster needs, Texas), Texas Eyeglass Recycling Center, Leader Dogs for the Blind (Guide Dogs), Lions World Services for the Blind, Lions Clubs International Foundation (Humanitarian needs—Worldwide), Lions Organ and Eye Bank, Lions Drug Awareness Council, and Julian C. Hyer Youth Camp (Youth from around the World).

The Cleburne Lions Club continues to be involved locally in a wide range of activities such as Adopt-a-School (reading and listening to children read and assisting with other activities at Adams Elementary School), sponsoring Lions drug awareness speech contest and diabetic essay contest for high school students, delivering meals-on-wheels to the elderly and handicapped, providing free eyeglasses for needy children, providing college scholarships to students at Hill College and Southwestern Adventist University, volunteering for the Salvation Army bell ringing, assisting with Whistle Stop Christmas and Christmas parade, sponsoring handicapped and diabetic children attending Texas Lions Camp, collecting used eyeglasses for recycling and shipping to developing countries, providing guidance and assistance to Lions Clubs in Mexico, and leading and assisting with numerous local community improvement projects.

It is my honor and privilege to commend and congratulate the Cleburne Lions Club on its 85th anniversary and peerless record of service to Cleburne and Johnson County, Texas.

RECOGNIZING THE 150TH ANNIVERSARY OF FLINT, MICHIGAN

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. KILDEE. Mr. Speaker, it is with a tremendous sense of pride that I rise before you today to recognize the 150th anniversary of my hometown, Flint, Michigan. This milestone will be celebrated with a series of events, during Homecoming Weekend September 23–25. Activities include a commemorative parade, pedal boat rides on the Flint River, and the opening of the newly renovated Flint Institute of Arts, just to name a few.

Although incorporated in 1855, Flint was first founded in 1819 by fur trader Jacob Smith. The fledgling community, located on the banks of the Flint River, prospered under the trading, trapping, and lumber industries, which in turn brought more settlers to the area. In the 1840's, Flint became famous for its carriage production. One such group, the Durant-Dort Carriage Company, purchased a tract of land in Flint and used the site to create a network of factories with the intention of maintaining all aspects of carriage production in close proximity. Under the leadership of William C. Durant, and with the help of Robert J. Whaley and Flint's own Citizens National Bank, this company grew to become what we know today as General Motors. Since then, Flint's history has been perpetually linked with the auto industry. The 1937 Sitdowners Strike served as a defining moment in the creation of the United Auto Workers. The Buick factory, where my father worked, and the other General Motors facilities in the Flint area served as one of the nation's greatest contributors during both World Wars, producing engines, parts, tanks, and other materials used by Allied forces in defense of the Free World.

Over the years, Flint grew to become Michigan's fourth largest city, with a population of approximately 125,000 people. It is also home to a cultural center spanning 30 acres, institutions of higher learning such as Kettering University, C.S. Mott Community College, and the University of Michigan-Flint, outstanding medical centers, thriving commercial areas, and internationally renowned events such as the Crim Festival of Races.

New projects and developments help guide its progress toward the future, while at the same time honoring and preserving its rich past. Centuries-old homes and buildings stand side by side with modern works of architecture, chronicling a new chapter in the city's history. Residents and visitors are welcomed to the downtown area by majestic arches, just as they were 85 years ago. And then there is perhaps Flint's greatest treasure, its residents. From those who have lived here for a generation to those calling it home for the first time, it is the people of Flint—my friends and neighbors—that shall always serve as its true nucleus. As a lifelong resident of Flint, my memories of the city shall always remain with me. From growing up with my family, to serving as the Member of Congress for the city, I will always look upon the city fondly; it is my home.

Mr. Speaker, I would also like to acknowledge the efforts of Mayor Don Williamson, the Flint City Council, the Sesquicentennial Committee, and all event sponsors for their vision in recognizing the need to acknowledge this occasion. Again, I ask my colleagues in the House of Representatives to please join me in congratulating Flint, Michigan on its 150th anniversary.

RECOGNIZING JONATHAN KEMPER FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Jonathan Kemper, son of Howard and Linda Kemper of Saint Joseph, Missouri. Jonathan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 31, and by earning the most prestigious award of Eagle Scout. Michael will receive his Eagle Award on October 2, 2005 at Saint Francis Xavier Parish Center.

Jonathan has been very active with his troop, participating in many Scout activities. Over the eleven years Jonathan has been involved with Scouting, he has earned numerous merit badges, honors, and leadership positions. Jonathan has served his troop as Patrol Leader, Senior Patrol Leader, Historian, and Troop Guide. Jonathan holds the rank of Runner in the Tribe of Mic-O-Say, and participated in Junior Leader Training and was a member of the Junior Leader Training Staff. During his years in the scouts, Jonathan attended Camp Geiger and Philmont Scout Ranch. For his Eagle Scout project, Jonathan refinished a fence.

Mr. Speaker, I proudly ask you to join me in commending Jonathan Kemper for his accomplishments with the Boy Scouts of America

and for his efforts put forth in achieving the highest distinction of Eagle Scout.

MARISA UGARTE: THE SAN DIEGO CHICANO FEDERATION'S COMMUNITY SERVICE AWARD

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. FILNER. Mr. Speaker: Passionate. Visionary. Bold. These are a few of the words used to describe Marisa Ugarte in a recent column in the San Diego Union-Tribune. As the executive director of the Bilateral Safety Corridor Coalition (BSCC), Marisa epitomizes all of these and more in her fervent quest to save children from pimps who pander them to pedophiles on both sides of the US-Mexico border.

With more than 20 years of experience advocating for exploited men, women, children and at-risk youth, Marisa has made her vision a global crusade over the past several years. While the BSCC is best known for its fight against sex trafficking, Marisa reports there are other issues that need attention drawn to them. They include the fate of sweatshop workers and young women working as maids and housekeepers, who Marisa says serve as indentured servants, working off the enormous debts made to get them into this country.

With a mission of 'preserving the dignity and well-being of commercially and sexually exploited women and children through prevention, intervention and education,' Marisa's organization collaborates with about 80 government and nongovernmental agencies in Mexico and the United States that strive to reduce slavery and human trafficking. They include the U.S. Justice Department, the U.S. Border Patrol Victims Unit, the University of San Diego, Departamento de Integraccion Familiar (DIF), and more.

The BSCC's vision is 'to live in a world where there is zero tolerance for exploitation and where women and children's lives are protected and held in high esteem.' Recently, the organization received a grant from the State Department to work on both sides of the border.

Marisa grew up in Mexico City and New York City. For the past three years she has created social service programs in Tijuana, Mexico. Marisa is the founder of the Binational Crisis Line in Tijuana, as well as the Domestic Violence Crisis Center for Sistema Nacional para el Desarollo Integral de la Familia (DIF), Tijuana. It was there that she became interested in advocating for those who have become victims to sex trafficking. (Marisa continues to be an advisor to DIF and to the Civil Protection and Disaster Crisis Prevention Program in Mexico.)

In the US, Marisa convenes annual anti-trafficking conferences in San Diego, and is an active speaker at similar conferences nationwide and internationally on human trafficking and the commercial sexual exploitation of women and children. Her public speaking engagements have included: Artesana, (Successful Coalition Building), Texas; the Millennium Conference, and the International Institute (Restructuring the Justice System in Mexico). She was a presenter at the follow-up conference at the Yokohama Children's Rights Conference (for Latin America and Costa Rica) and at conferences in Mexico, San Salvador and Costa Rica.

Marisa also taught at the University of California, San Diego; the University of San Diego, and the University of Xochicalco, Mexico.

Congratulations, Marisa, on this Award for Community Service.

IN HONOR AND REMEMBRANCE OF SIMON WIESENTHAL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Simon Wiesenthal, beloved husband and father, author, Holocaust survivor, Jewish activist, and tireless pursuer of justice who passed away yesterday at the age of 96.

Mr. Wiesenthal was born and raised in Buczaz in what is now known as the Ukraine. There he pursued a career in architectural engineering until he was taken to a forced labor camp in 1941. For the next four years Mr. Wiesenthal was transferred between twelve concentration camps until he arrived at Mauthausen concentration camp in northern Austria. He remained in Mauthausen until May 5, 1945 when the camp was liberated by the American army.

In 1947 Mr. Wiesenthal opened the Jewish Historical Documentation Center for the purpose of collecting evidence for trials against Nazi war criminals. Mr. Wiesenthal worked diligently for the rest of his life in the pursuit of any and all Nazis responsible for Holocaust atrocities. Mr. Wiesenthal is credited with aiding in the capture of over 1,100 Nazi war criminals. Most notable amongst these arrests are Adolf Eichmann, an architect and implementer of Hitler's "Final Solution," and Franz Stangl, the commandant at Treblinka where an estimated 800,000 Jews died.

Mr. Wiesenthal received many honors including: decorations from the Austrian and French resistance movements, the Austrian Cross of Honor of the Sciences and Arts, the Dutch Freedom Medal, honorary knighthood from the United Kingdom, the United Nations League for the Help of Refugees Award, the Luxembourg Freedom Medal, the French Legion of Honor, and the U.S. Congressional Gold Medal.

Mr. Speaker and Colleagues, please join me in honor and remembrance of Simon Wiesenthal, whose dedication to the pursuit of justice has ensured that the atrocities of the Holocaust will never be forgotten. I extend my deepest condolences to the family of Simon Wiesenthal, members and employees of the Simon Wiesenthal Center, and the community of Holocaust survivors. Mr. Wiesenthal will surely be remembered in history for his tireless dedication to justice and his commitment to fighting prejudice and honoring those who lost their lives to the horrors of the Holocaust.

PERSONAL EXPLANATION

HON. MELISSA L. BEAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Ms. BEAN. Mr. Speaker, due to circumstances beyond my control, I was unable to vote on final passage of H.R. 250. Had I been present, I would have voted "yea" on final passage of H.R. 250, The Manufacturing Technology Competitiveness Act of 2005 (Rollcall Vote 485).

RECOGNIZING JASON ROBERT STEN FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Jason Robert Sten, son of Kathy Holmquist and Patrick Sten of Saint Joseph, Missouri. Jason is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 31, and by earning the most prestigious award of Eagle Scout. Jason will receive his Eagle Award on October 2, 2005 at Saint Francis Xavier Parish Center.

Jason has been very active with his troop, participating in many Scout activities. Over the 8 years Jason has been involved with Scouting, he has earned numerous merit badges, honors, and leadership positions. Jason has served his troop as Senior Patrol Leader, Assistant Scoutmaster, and Troop Guide. Jason holds the rank of Runner in the Tribe of Mic-O-Say, and earned the Mile Swim Award. During his years in the scouts, Jason spent 8 years at Camp Geiger and was a member of the Junior Leader Training Staff.

Mr. Speaker, I proudly ask you to join me in commending Jason Robert Sten for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO JOHN MARSHALL ON THE OCCASION OF THE 250TH ANNIVERSARY OF HIS BIRTH

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. CANTOR. Mr. Speaker, this Saturday, September 24th, marks the 250th anniversary of Chief Justice John Marshall's birth. The principal founder of American constitutional law and one of Virginia's finest sons, Marshall's 34 years of leadership brought the United States Supreme Court great prominence.

His education, experiences, and service to the Commonwealth of Virginia enabled him to serve this country as Supreme Court Justice. Chief Justice Marshall presided over numerous landmark cases and authored many of the Supreme Court's most influential opinions.

Under his guidance, the Supreme Court from 1801 to 1835 expanded the definition of commerce, solidified the Supreme Court's dominance over the State court system, and defended the Federal Government's implied power.

These contributions and many others came after the first, and arguably most important, opinion he penned—judicial review. Shortly after his ascension to the bench, Chief Justice John Marshall affirmed the ability of the Supreme Court as the only body to decide the constitutionality of Federal or State law under the United States Constitution.

It is fitting that Marshall's birthday occurs at the same time as the United States Senate considers John Roberts' nomination to be Chief Justice of the Supreme Court. Like Marshall, Roberts would become chief justice at a relatively young age.

It is reported that Roberts would touch the statue of former Chief Justice Marshall that sits at the Supreme Court for luck before each case he argued. It is clear that John Marshall established an enduring legacy.

EXPRESSING DISAPPOINTMENT ABOUT THE VOTE ON CONYERS AMENDMENT TO CHILDREN'S SAFETY ACT

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Ms. FOXX. Mr. Speaker, I want to express my disappointment about a vote that was taken in this House last week.

The House took up very important, long overdue legislation to protect America's children and keep despicable predators off our streets.

However, an abominable amendment was offered by a Democrat that had no business being a part of the Children's Safety Act.

The noble and monumental Children's Safety Act was tainted by the Conyers amendment that seeks to punish people for their thoughts, specifically if they believe homosexuality is wrong.

While considering a great Republican bill that will crack down on pedophiles, rapists and murderers, the self-motivated Democrats instead took the opportunity to further their out of touch agenda.

I voted against the Conyers amendment and I am truly saddened that it passed.

The Children's Safety Act is so important and will do so much good in our country that I still voted for final passage despite the inclusion of this awful, unrelated amendment.

The opportunity to vote to protect American children from monstrous criminals could not be declined simply because there was a blemish on otherwise outstanding legislation.

RECOGNIZING RYAN E. JONES FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Ryan E. Jones, son of Chris and Colleen Jones, of Saint Joseph, Missouri. Ryan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 31, and by earning the most prestigious award of Eagle Scout. Ryan will receive his Eagle Award on October 2, 2005 at Saint Francis Xavier Parish Center.

Ryan has been very active with his troop, participating in many Scout activities. Over the years Ryan has been involved with Scouting, he has earned numerous merit badges, honors, and leadership positions including Patrol Leader and Troop Guide. Ryan is a member of the Tribe of Mic-O-Say, and spent almost every summer at Philmont Boy Scout Ranch.

For his Eagle Scout project, Ryan cleaned up brush and mowed at Happy Hallow Cemetery.

Mr. Speaker, I proudly ask you to join me in commending Ryan E. Jones for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN CELEBRATION OF THE 50TH ANNIVERSARY OF McGUCKIN'S HARDWARE

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. UDALL of Colorado. Mr. Speaker, I rise today to acknowledge the 50th Anniversary of McGuckin's Hardware Store in Boulder, Colorado. McGuckin's is a landmark in Boulder and has long had a very special reputation for stocking hard-to-find items.

McGuckin's was opened in 1955 by Bill McGuckin, a rugged outdoorsman and avid fisherman. The store originally consisted of only four employees and four departments with a business ethic based on Bill McGuckin's belief in personalized service, selection, and first-hand experience. In 1960, Dave Hight joined his father-in-law, Bill, as a partner, and together they committed themselves to fostering McGuckin's well-deserved reputation as ''the Greatest Hardware Store in the World.''

After Mr. McGuckin's passing in 1966, Mr. Hight continued the excellent service and selection offered to customers. His company continued to grow over the next 50 years, and today, this independently-owned business has prospered to employ 315 individuals in all its operations. In addition to its 60,000+ square foot sales floor with over 200,000 items for sale, there is a Design Center and a Distribution Center nearby to meet every customer's need. You name it, they have it. When there's a problem with something they sell, they fix it. In the unlikely event they don't have that particular something for which you were looking, their knowledgeable, experienced staff knows where to order it and does so with a friendly manner and without a fuss.

Not surprisingly, McGuckin's has developed a loyal and devoted clientele. Boulder's Daily Camera readers have voted it ''Best Hardware Store,'' ''Best Locally-Owned Store'' and ''Best Customer Service.'' ''Best Customer Service'' is an understatement; McGuckin's employees are beyond comparison. They wear green and are found in almost every aisle. You can still find Dave Hight in the middle aisle. They give plain, old-fashioned, perfect service with no hovering or hard-sell. No matter which department they work in, they all know where everything in the store is located.

McGuckin's quality service doesn't stop with humans either; this store welcomes pets on-leash too. As dog-lovers on my staff will tell you, most of Boulder's best-behaved dogs and puppies began refining their social skills by shopping in McGuckin's pet supply department. Employees dressed in green will greet customers and their pets and will often ask permission to give the dog a treat. While I have never tried one, I am reliably informed by pet owners that if you give permission, the most ''delectable tidbits'' come out of those green smock pockets. McGuckin's is, therefore, not only a big hit with people working on their week-end home improvement projects, it is also popular with Boulder's canine population.

Mr. Speaker, I ask my colleagues to join me in acknowledging David Hight and his employees for their commitment to uniquely serving their customers. If you're ever visiting Boulder, I hope you'll have the chance to go to McGuckin's. You won't be sorry and you won't find any store like it in this day and age. I congratulate David Hight and all the employees and their families on this 50th Anniversary and wish them good health and happiness in McGuckin's future.

IN RECOGNITION OF BILL AND MARGURITE ADDISON

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. RUPPERSBERGER. Mr. Speaker, William and Margurite Addison are a wonderful couple who have provided a permanent home for five children who were part of the State foster care system. Although the Addisons had thought their childrearing years were finished when their own biological children had become young adults (Ms. Addison has four biological children, ranging in age from 34 to 41, and Mr. Addison has two birth children, ages 29 and 35), they opened their home to one of Mr. Addison's nephews, Ralph, (now age 17) in 1992. The Addisons became approved foster parents for Ralph in 1994 and subsequently decided to open their home to non-relative foster children when they realized how many children were in desperate need of out-of-home care.

In 1998, the Addisons were approved as an adoptive resource for Ralph and their adoption was subsequently finalized that year. However, that was only the first of what ultimately became five adoptions. In 1999, Malik (now age 9) was adopted, Kevin (now age 3), was adopted in 2000, Warren (now age 6) was adopted in 2003, and Bryleigh (now age 3) was adopted in 2004. Except for Ralph, each of these children had come to the Addison home via the foster care system as drug-exposed infants (none of them are related). In addition, Warren suffers from sickle-cell anemia, as well as emotional/behavioral difficulties. Ralph has received special education services in school and it is likely Warren will also need a special school setting.

Mr. Addison is an educator and administrator at the Regional Institute for Children and Adolescents (RICA), which is a State-run facility for emotionally handicapped youngsters. In addition, he has facilitated anger management groups at the House of Ruth (a shelter for victims of domestic violence) or men who have a history of domestic violence.

Ms. Addison was a former truant officer for the public school system and has been active in supporting other adoptive families by developing an adoption support group for families that have adopted through the Baltimore City Department of Social Services. Although the support group is no longer active, she continues to support approved prospective adoptive families who are currently waiting to be matched with a child who needs a home.

PROTECTING MEDICARE BENEFICIARIES DURING IMPLEMENTATION OF THE MEDICARE PART D DRUG PROGRAM

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. STARK. Mr. Speaker, I rise with my colleague Representative JAN SCHAKOWSKY (D–IL) to introduce the Medicare Informed Choice Act. This bill provides needed extra protections for beneficiaries during the first year of implementation of the new Medicare prescription drug program.

The Centers for Medicare and Medicaid Services (CMS) has announced that participation rates by private drug plans and new Medicare Advantage plans in the new Part D drug program will be much higher than originally predicted. There will be an average of 40–50 plans per region in the country. Babette S. Edgar, finance and operations division director in CMS's Medicare Drug Benefit Group, was recently quoted saying, ''There's going to be a lot of choice out there . . . It's going to be very, very confusing for [beneficiaries].''

We agree with Ms. Edgar. That's why we're introducing the Medicare Informed Choice Act. It is a simple bill with three important protections:

(1) Delays late enrollment penalties: Beneficiaries need adequate time to make an informed choice. The bill expands the existing six-month open enrollment period to the entire year of 2006. This will give people added time to do the research and make the best decisions for themselves. Six months is not adequate time to reach and counsel 42 million beneficiaries on this complex new program.

(2) Protections against bad choices: This provision gives every Medicare beneficiary the opportunity to make a one-time change in plan enrollment at any point in 2006. Marketing is sure to be very aggressive and people may make a bad choice. Given the importance of the decision they make, it is appropriate to give beneficiaries a one-time chance to correct an initial mistake made during the first year of implementation.

(3) Protections for employer-provided retiree benefits: Some retirees might not understand that purchasing Part D coverage could cost them their retiree health benefits. This provision would protect retirees from being dropped by their former employer's plan during the first year of implementation, so that beneficiaries have time to correct enrollment mistakes.

Medicare beneficiaries are going to soon begin getting bombarded by information on the new drug benefit. Some information will come directly from the government in the form of the 2006 Medicare & You Handbook, a government insert in an upcoming edition of Parade Magazine, government-prepared television advertisements, and mailings from Health and Human Services and the Social Security Administration, communications from their Members of Congress and Senators, and more. On top of all of these messages, they'll be recipients of direct marketing from untold numbers of private plans urging them to join their drug plan. They'll also likely hear from advocacy organizations like the Medicare Rx Access Network, State Health Insurance Programs around the country, and senior organizations. If they currently have retiree health benefits, they'll hear from their former employers as well.

Medicare beneficiaries are being told that there will be counselors available to assist them at 1–800–Medicare and at local State Health Insurance Programs around the country. We know from experience that these phone lines and support services will be overburdened. Beneficiaries should not pay the price for a support system that may not operate effectively. To avert that, we must inject some flexibility into the implementation period.

The Administration's own actuaries are concerned that participation rates will be far lower than they'd initially anticipated—they've announced figures as low as 9 million out of Medicare's more than 40 million beneficiaries. Again, CMS is right to be concerned. We appreciate their recognition of the pending chaos for seniors and people with disabilities.

By delaying late enrollment penalties, giving every beneficiary a chance to change plans during the first year, and protecting those with employer-provided retiree health benefits, we can make sure our constituents are not forced into making quick—and wrong—decisions during the first year of this new program. By providing this flexibility, it is our hope that people will feel more confident in their ability to make an informed choice.

We are pleased that Representatives DINGELL, RANGEL, MILLER, WAXMAN, BROWN, and PALLONE—Congressional leaders on health care policy—have all joined us in introducing this legislation today. The bill has also been endorsed by leading senior citizen advocacy groups including: the Alliance for Retired Americans, the American Federation of Teachers, the Center for Medicare Advocacy, Consumers Union, Families USA, the Medicare Rights Center, and the National Committee to Preserve Social Security and Medicare.

We urge CMS Administrator McClellan, HHS Secretary Leavitt, President Bush and Republicans in Congress to join with us to help mitigate the weight of the difficult choices that beneficiaries will have to make by endorsing the Medicare Informed Choice Act and working for its swift passage.

Let's work together to make sure that initial choices don't negatively impact Medicare beneficiaries who may have acted without all the information needed to make the best choice. Protecting Medicare beneficiaries should not be a partisan endeavor. We look forward to working with Members on both sides of the aisle to enact this important legislation.

RECOGNIZING CASEY M. DUPREE FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Casey M. Dupree, son of Keith and Carol Dupree of Saint Joseph, Missouri. Casey is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 31, and by earning the most prestigious award of Eagle Scout. Casey will receive his Eagle Award on October 2, 2005 at Saint Francis Xavier Parish Center.

Casey has been very active with his troop, participating in many Scout activities. Over the six years Casey has been involved with Scouting, he has earned numerous merit badges, honors, and leadership positions. Casey has served his troop as Patrol Leader, Assistant Senior Patrol Leader, Senior Patrol Leader, and Troop Guide. Casey holds the rank of Tom Tom Beater in the Tribe of Mic-O-Say. During his years in the Scouts, Casey spent six years at Camp Geiger, and went on both the Canoe Trip and Katy Trail 50 Mile Bike Ride for three years.

For his Eagle Scout project, Casey stained flower boxes for Our Lady of Guadalupe Church.

Mr. Speaker, I proudly ask you to join me in commending Casey M. Dupree for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING THE OUTSTANDING ENVIRONMENTAL RECORD OF LEXMARK INTERNATIONAL

HON. BEN CHANDLER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. CHANDLER. Mr. Speaker, I rise today to shower praise on my constituents at Lexmark International, whose recent awards for environmental excellence show yet again the extremely impressive commitment of Lexmark to environmental protection.

As I am sure most of my colleagues know, Lexmark is one of the world's leading manufacturers of printers and developers of cutting-edge printing solutions for enterprises large and small. Lexmark is headquartered in Lexington, the heart of the Sixth Congressional District of Kentucky, and truly has become a global leader in the information technology sector.

Having toured Lexmark's headquarters and having viewed the range of highly-sophisticated equipment that Lexmark offers, and having met with one impressive engineer and manager after another during my visit with Lexmark, I congratulate Lexmark on being one of the true industrial gems of the Commonwealth of Kentucky.

I am especially proud of Lexmark because when my grandfather served as Governor of Kentucky, he attracted Lexmark's predecessor, IBM, to the location Lexmark so

proudly occupies today. When I work with my friends at Lexmark, I will confess that I am mindful of my grandfather's role decades ago.

Lexmark does more than produce great products and systems for its customers. It upholds an environmental ethic that has been in place since the company's inception in 1991.

Most recently, Lexmark's headquarters was awarded with ISO (International Standardization Organization) 14001 certification, which is the gold standard for environmental compliance. Only the best of the best achieve it. ISO 14001 is the world's most recognized environmental system management framework, and to be certified—as Lexmark has been—takes an enormous amount of effort.

ISO 14001 certification in Lexington is only the most recent addition to a long line of environmental achievements by Lexmark. Almost immediately after the company's inception in 1991, Lexmark initiated a novel and still-creative program for recycling used printer cartridges. Over the past 14 years this program has redirected millions of pounds of cartridges away from landfills and to recycling facilities. And these are not just any recycling facilities, but workshops that employ physically challenged adults to disassemble the cartridges for recycling in a safe environment.

Lexmark is exporting not only great products, but also its environmental ethic. Lexmark's site at Orleans, France, became one of the first companies in Europe to receive ISO 14001 certification. Lexmark Philippines has received national recognition there, not just for the company's commitment to environmental responsibility in every aspect of product design, manufacture, distribution, and use, but for efforts to preserve vital ecosystems as well.

Even more recently, Lexmark sites in Rosyth, Scotland; Boulder, Colorado; Juarez, Mexico; Chihuahua, Mexico; and Cebu, Philippines have met all the requirements to achieve ISO 14001.

I am sure my colleagues would agree that for a company to combine world-class products with a superior commitment to the environment and worker health and safety represents exactly what we hope American industry will do around the world.

Lexmark's participation as a charter member in the United States Environmental Protection Agency's EnergyStar program, its receipt of the Kentucky Governor's Environmental Excellence Award for Industrial Environmental Leadership, and its leadership in everything from "The Reforest the Bluegrass Program" in Lexington to Lexmark's Rainforest Project, which protects the indigenous peoples, plants, and animals of the rainforest, all reflect the unsurpassed commitment to environmental protection that defines the company.

The Lexmark Environmental Program has committed the company to three areas of concentration: the design of its products and services, its management of resources, and the commitment to being a responsible neighbor and employer. If the various awards Lexmark has received are any indication, the company certainly seems to be living up to its mission.

Mr. Speaker, you can see why I am so proud of my constituents at Lexmark. I ask you and my esteemed colleagues in the House of Representatives to recognize the many outstanding accomplishments of Lexmark's employees recently and over the history of the company.

STATEMENT ON WAR IN IRAQ

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. HONDA. Mr. Speaker, this weekend thousands of Americans will congregate on the National Mall and in cities all across this country to protest the Bush Administration's elective war in Iraq. By raising their voices en masse, they hope to send a message to President Bush that he and his Administration, thus far, has been unwilling to hear: the American people don't support this war.

The war was always predicated on the false premise that Iraq was in possession of weapons of mass destruction. This Congress was negligent in not demanding more proof of the President and then refusing to hold him accountable for his exaggerated and unfounded claims.

His war strategy was equally flawed. He has failed to provide the resources our men and women in uniform need to be successful, and American lives have been lost as a result. In 2002 and 2003, Army Chief of Staff General Shinseki warned that not enough boots on the ground would lead to a power vacuum that our enemies would exploit. Tragically, his premonitions have been born out.

To date, approximately 1,900 brave Americans have been killed in Iraq, and there appears to be no immediate end to the quagmire in Iraq.

The American people are rightly asking whether we are any closer to a stable and democratic Iraq today than when the President declared "Mission Accomplished." If experience has taught us anything, it is that democracy cannot be forced upon a nation by gun point. Yet, military force seems to be Bush's preferable strategy.

A recent GAO report indicates that the Defense Department has no ability to account for billions of Federal dollars expended on the war in Iraq, and there are reports of widespread corruption within the Iraqi government. Iraq's own Finance Minister Ali Allawi admitted, "Huge amounts of money have disappeared. In return, we got nothing but scraps of metal."

Meanwhile, Congress continues to debate how the Federal Government will afford the recovery effort from Hurricanes Katrina and Rita. Some of my Republican colleagues have suggested that we cut spending on domestic programs for health care, education and transportation. The American people, by and large, reject this approach. A recent CNN/USA Today/Gallup poll revealed that a full 54 percent of the respondents felt that the relief effort should be financed by cutting funding for the war. Only 6 percent felt Congress should cut domestic spending.

In the debate over guns and butter, the American people have spoken clearly. Now all we need is a President that is willing to carry out the will of the people.

RECOGNIZING MICHAEL DAVID HERRING FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Michael David Herring, son of Mary Kay and Leon Herring of Saint Joseph, Missouri. Michael is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 31, and by earning the most prestigious award of Eagle Scout. Michael will receive his Eagle Award on October 2, 2005 at Saint Francis Xavier Parish Center.

Michael has been very active with his troop, participating in many Scout activities. Over the 11 years Michael has been involved with Scouting, he has earned numerous merit badges, honors, and leadership positions. Michael has served his troop as Assistant Patrol Leader, Patrol Leader, Assistant Senior Patrol Leader, Senior Patrol Leader, Quartermaster, and Troop Guide. Michael holds the rank of Tom Tom Beater in the Tribe of Mic-O-Say, and participated in Junior Leadership Training. In addition to these honors, Michael earned the Arrow of Light Award, Pope Pius XII Unit Award, and the Ad Altari Dei and Parvuli Dei religious awards. During his 11 years in the scouts, Brandon attended Camp Geiger for six summers.

For his Eagle Scout project, Michael planted five red sunset maple trees at Our Lady of Guadalupe Church. Once fully grown, the trees will separate the parking lot from the playground.

Mr. Speaker, I proudly ask you to join me in commending Michael David Herring for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

COMMEMORATING THE APPLING COUNTY GIRLS MIDGET ALL-STAR SOFTBALL TEAM

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. KINGSTON. Mr. Speaker, I wish to commemorate the Appling County Girls Midget All-Star Softball Team on winning the Georgia State Championship.

July 24, 2005 was a day of victory for the Appling County Girls Midget All-Star Softball Team. They won the Georgia State Championship 6 to 3 over Jeff Davis County. These 11–12-year-old girls have worked tremendously hard to have an undefeated season and win the state championship. Each team member deserves to be commended on their team work and good sportsmanship.

The coaches of this Midget All-Star team have spent endless hours working with this talented group of young women. The members of the winning team are Laci Bass, Brianna Black, Hannah Brazzell, Rebecca Carter, Courtney Clements, Christian Collins, Taylor Dominey, Candyce Eason, Tori Hall,

Brooke Nail, Jennifer Norris, Hope Patton, Jami Scarborough, and Brooke Sikes. Coaches are: Arthur McCall, Donald Rouse, and Brian Brazzell.

TRIBUTE TO ANDREA LEIDERMAN

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Ms. ESHOO. Mr. Speaker, I rise today to honor the life of Andrea Leiderman, an extraordinary resident of the 14th Congressional District who was taken from us at the age of 46 on Sunday, September 11, 2005.

Andrea Leiderman graduated from Gunn High School and Vassar College, and went on to earn two master degrees from the University of California at Berkeley. She was a dedicated community activist and a committed public servant. She worked to serve others from the age of 10, when she started a childcare group in her parents' living room, to her work in public and government relations for Kaiser Permanente.

Andrea Leiderman served her community as a trustee of the Foothill-DeAnza Community College District, and served on the boards of the Mission City Community Fund, San Jose Chamber of Commerce Local Issues Advocacy Committee and the College of San Mateo President's Council on Advancement. She served as chair of the Working Council of the Silicon Valley Leadership Group and as a member of the Santa Clara County Board of Education.

Mr. Speaker, I ask my colleagues to join me in extending our deepest sympathy to Hayes Anderson, Andrea's loving husband, Drs. Herb and Gloria Leiderman, Andrea's distinguished parents, to her brother and sisters, and to all those who had the privilege of knowing Andrea. She will be missed and never forgotten.

10TH ANNIVERSARY OF AGRICULTURE IMPROVEMENTS THROUGH BIOTECHNOLOGY IN THE U.S.

HON. COLLIN C. PETERSON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. PETERSON of Minnesota. Mr. Speaker, this year marks the 10th anniversary of the commercialization and planting of crops improved through biotechnology. This year also marks the one-billionth acre of biotech enhanced crops planted on American soil. Since their introduction to American agriculture, biotech crops have provided many benefits to the American people, including less soil erosion, less fuel emissions and reduced need for chemical inputs. Crop biotechnology has also provided tremendous benefits to America's farmers by reducing the cost of production and increasing yields, resulting in increased net farm income by $1.9 billion.

In my home State of Minnesota, biotech crops have had a significant impact on corn and soybean production. According to a USDA National Agriculture Statistics Service Report published in June of this year, 66 percent of all corn planted in Minnesota was of a biotech variety. The same report noted that 83 percent of all soybeans planted in Minnesota were of a biotech variety. In 2003, the most recent overall statistics for biotech crops in Minnesota, the planting of biotech crops led to an increase of 525 million pounds of farm commodity output. At the same time, Minnesota farmers reduced pesticide use by 6.5 million pounds and earned an additional $176 million in profits.

There are several Minnesota companies in attendance today whose research has contributed to the successes of farm biotechnology. Newport Laboratories works with veterinarians to fight disease and protect livestock health though customized biotech treatments. CROPLAN Genetics, a subsidiary of the Land-O-Lakes company, focuses on individual farmers and meeting their specific genetic needs with customized seed. ANDX, Inc. develops tests which diagnose and predict livestock diseases. Together these companies represent the many achievements in the field of biotechnology which benefit farmers across the Nation.

For the last decade, biotechnology has changed the face of American agriculture. New advances in biotechnology continue to improve the lives of American farmers, and will continue to shape agriculture into the future. I'm happy to participate in the Agriculture Biotechnology Exhibition, and I look forward to the continuing benefits and innovations of agriculture biotechnology.

MANUFACTURING TECHNOLOGY COMPETITIVENESS ACT 2005

SPEECH OF

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2005

Mr. COSTELLO. Madam Chairman, I rise today in opposition to the rule for H.R. 250, the Manufacturing Technology Competitiveness Act of 2005. We had an opportunity today to address key manufacturing competitiveness and innovation issues, but instead the bill before us is simply a narrow reauthorization bill that eliminates funding for the Advanced Technology Program, ATP. Democrats tried to broaden this narrow manufacturing bill by bringing eight manufacturing amendments to the Rules Committee. Unfortunately, the Republican-crafted rule blocks the four of the eight Democratic amendments. I am disappointed that this bill does so little to achieve its stated goal of addressing the long term problems facing our Nation's manufacturers.

Congress must confront that we are in a manufacturing crisis. The U.S. manufacturing sector is facing a crisis—since 2001 we have lost 2.8 million manufacturing jobs. In the first three months of this year, we have lost another 24,000 manufacturing jobs. I am very concerned about the issue of off-shoring of our professional manufacturing jobs. We have to get a handle on this problem and we need sufficient and accurate data to make sound policy decisions. Once we understand the problem, we can then develop policies to address it. An effective way to do that is, in fact, to mandate a study to report back to the Congress within a nine-month period so that we, in fact, can take a look at the number of jobs that have been lost and the ramifications as well as the other areas that the Secretary would be looking at. Given the crisis facing our manufacturing sector, I have asked Congress to work with the administration to address the issue of off-shoring, by studying its effects and implications. To date, Congress still does not have the data to do an analysis of off-shoring trends. If we are serious about making America more competitive and maintaining high-skilled jobs in the U.S., we first have to understand the real impact of job outsourcing. Manufacturing plays a crucial role in the growth and health of the U.S. economy. It is an industry that helped build the great country we have today and we need to work together to get a handle on this serious problem facing our manufacturing base.

RECOGNIZING BRANDON MICHAEL LAMBERT BECK FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Brandon Michael Lambert Beck, son of Kerry and Marilyn Beck of Saint Joseph, Missouri. Brandon is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 31, and by earning the most prestigious award of Eagle Scout. Brandon will receive his Eagle Award on October 2, 2005 at Saint Francis Xavier Parish Center.

Brandon has been very active with his troop, participating in many Scout activities. Over the twelve years Brandon has been involved with Scouting, he has earned numerous merit badges, honors, and leadership positions. Brandon has served his troop as Assistant Patrol Leader, Patrol Leader, Assistant Senior Patrol Leader, Senior Patrol Leader, Historian, and Troop Guide. Brandon holds the rank of Tom Tom Beater in the Tribe of Mic-O-Say, and participated in Junior Leader Training. Brandon has earned awards for snorkeling and marksmanship, as well as the Ad Altari Dei and Parvuli Dei religious awards. During his twelve years in the scouts, Brandon attended Camp Geiger for seven summers.

For his Eagle Scout project, Brandon constructed and installed shelves in the basement of the rectory of Saint Francis Xavier Church.

Mr. Speaker, I proudly ask you to join me in commending Brandon Michael Lambert Beck for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING GUEST CHAPLAIN REVEREND ANTHONY MARCIANO

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mrs. MYRICK. Mr. Speaker, I'm pleased to recognize this morning's guest chaplain, Reverend Anthony Marciano. Reverend Marciano

is the Executive Director of the Charlotte Rescue Mission in Charlotte, North Carolina. The Rescue Mission ministers to people in the Charlotte-Mecklenburg area who struggle with poverty, homelessness, and drug addiction. The Mission's five fold strategy aims to meet the spiritual, physical, emotional, social, and vocational needs of these folks, in a way that demonstrates God's love. Under Reverend Marciano's direction, the Mission has seen truly inspiring success rates among its clients, and I'm proud to represent people like Tony in Congress.

Rev. Marciano is a graduate of The Salvation Army's seminary. Before moving to Charlotte, he founded a shelter in New Jersey to address homelessness and addiction. Tony and his wife Dorothy have three kids, and they live in Charlotte, North Carolina with their dog, Rocky.

Founded in 1938, the Charlotte Rescue Mission continues to make a positive impact on our city. I applaud Rev. Marciano for his dedication and Christian witness—and I'm honored to welcome him to the House Floor this morning.

HONORING THE MANUFACTURED HOUSING INDUSTRY OF ARIZONA

HON. RICK RENZI

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. RENZI. Mr. Speaker I rise today to honor the Manufactured Housing Industry of Arizona for its work to assist Native American Veterans by donating the materials for the Lori Piestewa Veteran's Center in Arizona that was recently featured on the popular ABC TV show, "Extreme Makeover—Home Edition" seen by 20 million viewers on May 22, 2005.

The Center is dedicated to the memory of Specialist Lori Piestewa, a member of the Hopi Tribe and a native of Tuba City, Arizona. She is believed to be the first female Native American soldier killed during wartime while serving in the United States Army.

I would like to thank Cavco Homes for its generous donation of the Veteran's Center. It took approximately 400 employees from Cavco's Litchfield, Arizona plant working around the clock for four days to complete the building. The home has several large open areas for displays and meetings, a large kitchen and dining room, and two offices or conference rooms. The house also contains a handicap-accessible bathroom, special lighting throughout the interior spaces, and a stucco exterior that fits in with the Santa Fe style architecture so prevalent in the Southwest.

I would also like to recognize the Manufactured Housing Industry of Arizona for working with Extreme Makeover—Home Edition for almost a year to help make this project a reality. The Manufactured Housing Industry of Arizona provides thousands of quality, affordable homes each year to Arizona residents and provides jobs for over 6,500 Arizona citizens in approximately 2,600 industry related businesses in Arizona.

The Piestewa Veteran's Center will serve as a constant reminder of the courage and dedicated service of our Native American Veterans and will provide them with a special place that they can "call their own."

Finally, I would like to commend all of the Native American Veterans—both past and present for their dedicated service to our country.

Therefore, I am pleased to submit these remarks to the CONGRESSIONAL RECORD in honor of the Native American Veterans who served our country with distinction for decades; in appreciation to Cavco Homes for their generous donation of the Piestewa Veterans Center which was built by 400 dedicated employees at their Arizona Litchfield Plant; and in recognition of the Manufactured Housing Industry of Arizona (MHIAZ) and ABC TV's Extreme Makeover—Home Edition who helped make this veteran's center a reality.

CONGRATULATING ALBERT TEGLIA ON HIS RECEIPT OF THE JEFFERSON AWARD

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. LANTOS. Mr. Speaker, I rise today to congratulate Albert Teglia on his recent receipt of the Jefferson Award and to thank him for his many contributions to his community. The Jefferson Award is given to individuals for their extraordinary work in their community. Mr. Teglia, who is known simply as "Al" to his friends, received this prestigious recognition for his work with, the Adopt-a-Family program and as director of the San Mateo County Children's Fund. I congratulate him on receiving this award, and I am proud that he resides in my Congressional district.

Al's work with the Adopt-a-Family program, an organization that he founded, arose after he recognized that many of the families receiving donations during the holiday had needs that lasted all year. As a result, Al suggested that volunteer families sponsor a needy family for an entire year by providing food as well as other needs including, clothing, school supplies, toys, and other necessary items. Because Al believes that directly connecting volunteers and families helps guide assistance to where it is needed most, volunteer families personally drop off the items of assistance, which creates a personal relationship between donor and recipient.

When Mr. Teglia became the director of San Mateo County's Children's Fund in 2000, he brought Adopt-a-Family under its umbrella. Since then, Al has developed a dozen programs that provide needy families with clothing, computers, school supplies, and furniture. Additionally, these programs make available vocational job training, jobs for youth, dental and orthodontic care, and education funds. Al is able to run this important program because of the generous donations and selfless volunteer efforts of many on the Peninsula.

Mr. Speaker, much insight about this extraordinary person can be gleaned by his answer to the question "Who are your heroes?" He lists five historical figures: Abraham Lincoln, George Washington, Harry Truman, Eleanor Roosevelt, and Perry Como. Like his own personal heroes, Al Teglia has been a hero to many. His program reaches beyond just the immediate results because his programs perpetually help the needy. Those who have received assistance from Adopt-a-Family and the Children's Fund, have commented that they plan to give back to the community just as the community gave to them. Not only has Mr. Teglia's work fed and clothed many in need, but also it has inspired people to give to and uplift those who surround them in their communities. Since its beginning in 1997, the Adopt-a-Family program has helped more than 200 families. In the wake of the Hurricane Katrina disaster, Mr. Teglia reminds all Americans that they can also be heroes and help the victims of Hurricane Katrina as well as the poor in their own backyard. Mr. Teglia remarked, "We need to take care of our home if we are going to set an example for the world".

Al Teglia has diligently served the Daly City community for over 30 years as mayor, councilman, and trustee in the Jefferson Union High School District. He also helped to get BART (Bay Area Rapid Transit) to Daly City when he served on the Board of Directors of Samtrans. Mr. Speaker, I invite my colleagues to join me in thanking Al for his contributions to the community. His friends and colleagues have praised him for his selfless acts of service, and I hope the acknowledgement of this award will inspire others to devote more of their time to helping those in need.

HONORING THE FIRST PRESBYTERIAN CHURCH ON THEIR 100TH YEAR OF CONTINUED SERVICE TO THE FLUSHING COMMUNITY

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. ACKERMAN. Mr. Speaker, I rise today in recognition of the First Presbyterian Church of Flushing, New York. This year marks the church's 100th anniversary and during the past century its members have dedicated themselves to serving God and our community.

The First Presbyterian Church was founded in 1904 when Rev. Benjamin Parliman, unable to find any existing Presbyterian churches in Flushing, built a new church and held its first worship service on January 22, 1905. In the past hundred years, the church has grown and adapted, but it has never once strayed from its commitment to serving our community.

When hardships struck our neighbors, the First Presbyterian Church was there to ease their troubles and offer support in any way possible. During the Great Depression, with a membership of over 425, then Reverend Charles Woodbridge organized employment committees to aid those who lost their jobs. Immediately following the stock market crash of 1929, Rev. Woodbridge helped to establish a relief ministry to support those victimized by the nation's economic plight. When the strain and terror of war struck the Nation during the first and second World Wars, the church continued to console and support its members. Since then, the church has grown in numbers and expanded in size, adding new programs for youth and adults and erecting more facilities for education and worship.

In 1974 a Women's Fellowship was started and not long after Ms. Irene Galati became the first woman elder to be ordained at the

church. Furthermore, a Korean church was begun to better serve the growing Korean population of the area. A free counseling center was created in 1980, along with a clothing exchange program, both of which continue to serve the community today. More recently, current pastor Rev. Dr. John Smucker has implemented new programs such as the English Language center, which helps teach English to those in need, and the Murray Hill Neighborhood Association, which is a non-profit group dedicated to raising funds for teaching English as a second language, the food pantry, free counseling services, after school programs and the Home Care Fund.

Mr. Speaker, on the occasion of its 100th year of service to the community of Flushing, I ask that the whole House join me in congratulating this outstanding house of worship and a strong pillar in our community for all that it has done thus far, and in wishing the church, its members and clergy many more years of success and good fortune.

IN HONOR OF GENERAL RICHARD MYERS, CHAIRMAN, JOINT CHIEFS OF STAFF

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. SKELTON. Mr. Speaker, let me take this means to pay tribute to retiring General Richard Myers. General Myers became Chairman of the Joint Chiefs of Staff on October 1, 2001. Appointed to the position by President George W. Bush, as Chairman, General Myers serves as the principal military advisor to the President, the Secretary of Defense, and the National Security Council.

Born in Kansas City, Missouri, General Myers is a graduate of the Kansas State University, where he entered the Reserve Officer Training Corps program, and Auburn University where he earned an MBA. He entered the United States Air Force in 1965, beginning a distinguished career of service, including logging more than 4,100 flying hours, of which 600 were combat hours in the F–4, and operational and leadership positions in a variety of Air Force and Joint assignments.

General Myers' first major command came in November 1993, when he became head of U.S. Forces in Japan and the Fifth Air Force at the Yokota Air Force Base. This assignment was followed by service as Assistant to the Chairman of the Joint Chiefs of Staff; Commander, Pacific Air Forces, Hickam Air Force Base, Hawaii; Department of Defense manager, space transportation system contingency support at Peterson Air Force Base, Colorado; Commander, Air Force Space Command; and Commander in Chief, North American Aerospace Defense Command and U.S. Space Command. Prior to becoming Chairman, he served as Vice Chairman of the Joint Chiefs of Staff, a duty in which he served as Chairman of the Joint Requirements Oversight Council, Vice Chairman of the Defense Acquisition Board, and as a member of the National Security Council Deputies Committee and the Nuclear Weapons Council.

Mr. Speaker, the American people have been fortunate to have General Myers serving as the Chairman of the Joint Chiefs of Staff for the past four years. His fine character and dedication to service have resulted in a career of which he, his wife Mary Jo, and his three children can be proud. I know my fellow Members of the House of Representatives will join me in thanking him for his commitment to his country and in wishing him all the best in the years ahead.

IN HONOR AND RECOGNITION OF SALLY K. GRISWOLD

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in tribute and recognition of Sally Griswold, as she is honored by the Board of Directors of the Vocational Guidance Services, VGS, with the Herbert E. Strawbridge Lifetime Achievement Award. The award recognizes an individual's outstanding work on behalf of VGS services that support individuals with disabilities or societal disadvantages.

Mrs. Griswold has been a passionate and unwavering advocate for the VGS since the 1950s. Her husband, the late Bruce Griswold, was recovering from polio, and turned to the VGS for rehabilitation services. Mrs. Griswold's husband and her son, James Griswold, served as Chairs of VGS's Board of Directors.

Mrs. Griswold's volunteer tenure with the VGS reflects involvement and leadership within all areas of the organization, from fund raising campaigns to program expansion. In 2004, VGS placed more than one thousand individuals back into the workforce. Three hundred and sixty of those individuals were people with significant disabilities, and 200 were at-risk youth or adults making the transition from welfare to work.

Mr. Speaker and Colleagues, please join me in tribute and recognition of Mrs. Sally K. Griswold, recipient of the 2005 Herbert E. Strawbridge Lifetime Achievement Award. This honor reflects Mrs. Griswold's lifelong commitment and support of Cleveland's Vocational Guidance Services. Mrs. Griswold's spirit of volunteerism and deep sense of service to others continues to raise the lives and spirits of countless individuals into the light of hope and possibility, thereby uplifting our entire community.

PREPARATION FOR HURRICANE RITA

HON. MICHAEL T. McCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. McCAUL of Texas. Mr. Speaker, last week, I visited the Katrina relief efforts in my district, and Vice President CHENEY and I met with the Texas Emergency Management Agency. They did an outstanding job in the Katrina relief effort, but now we are faced with another hurricane—Hurricane Rita.

As I speak to you now, Rita, a category 5 hurricane, is bearing down on the coast of Texas and is projected to hit near Galveston. Now more than ever, this kind of leadership is needed for our communities in Texas.

Along with the mandatory evacuations in the Gulf Coastal region, there currently exists a voluntary evacuation in the Greater Houston area for flood plains, and neighborhoods near main bayous. Although these evacuation orders are voluntary, the Federal Emergency Management Agency strongly suggests that in the event of a hurricane all evacuation orders must be honored to prevent needless loss of life.

If we work together, we can save lives. This is our duty as friends, as neighbors and as Americans.

HONORING THE LIFE OF WILLIAM COLLINS

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. UDALL of New Mexico. Mr. Speaker, New Mexico recently lost a respected soldier, admired educator, beloved husband and father and distinguished citizen. William Collins died peacefully at the age of 84 on August 29, 2005, at his home in Albuquerque.

Bill was born in Glasgow, Scotland, on November 14, 1920, but at a young age moved with his mother and sister to Boston, Massachusetts. It was there that his father, Robert Collins, was recuperating at a hospital from wounds suffered at the Battle of Somme in World War I.

Growing up in East Boston, Bill excelled in baseball and football and attended Kents Hill Academy in Maine on a baseball scholarship. A later baseball scholarship led Bill to the University of Southern California, and after his first year, Massachusetts U.S. Senator Henry Cabot Lodge appointed him to the United States Military Academy. At West Point, Bill played on two national championship teams with Glenn Davis and Doc Blanchard while simultaneously playing baseball as a feared left-handed pull hitter. Always a prankster who received numerous demerits, Bill would later claim to have held the all-time West Point record for ''walking the yard'' as punishment for his amusing deeds.

The United States' involvement in World War II resulted in a 3-year, early graduation for Bill's West Point class. Upon graduation in 1945, he married Doris Leary in the Cadet Chapel. A lovely lady, Doris would be Bill's wife and best friend for 60 years, a union blessed with two sons and grandchildren. Bill then joined the 11th Airborne Division as a paratrooper. He fought for his country in the Philippines and was preparing to parachute into Japan as a Pathfinder when the war ended.

Serving as a paratrooper with the 82nd Airborne Division at Fort Bragg, Bill was a Company Commander in the 28th Infantry Division in Germany and an R.O.T.C instructor at the University of Rhode Island. He was then transferred to the U.S. Army Ordnance Corp and served in Redstone Arsenal in Alabama and in Korea. Following his tour of duty in Korea, Bill served as project engineer for the Sidewinder and Redeye missile programs at White Sands Missile Range in southern New Mexico. He subsequently joined the Army's Intelligence Corp and served as a counter intelligence agent in Korea, recruiting, planning and directing intelligence-gathering missions into North

Korea. Bill retired from the Army in 1964 with the rank of Major.

After military retirement, Bill returned to school and earned Masters and Doctorate degrees in Latin American Studies from the University of New Mexico. For the next 30 years, he taught American and Latin American history as well as that of Spain, Portugal and Mexico at Purdue University. His classes were so interesting and filled with such quick wit that the walls of large lecture halls were lined with televisions to accommodate the overflowing attendance. In addition, Bill, who was ambidextrous, amazed his students by his ability to write on the blackboard right-handed and then switch the chalk to his left hand in order to continue writing without blocking the students' view. He received the ''Mobil Best Teacher of the Year'' award at Purdue 2 years running and then served on the selection committee.

Bill loved Purdue football and was a long-suffering Boston Red Sox fan. When he was a youngster in Boston, he would travel by trolley car to attend games at Fenway Park for 25 cents. He recalled meeting famed Red Sox hurler Cy Young at Fenway and, with his father, meeting Hall of Famer Bobby Doerr when Doerr first came to the Red Sox in 1940. Bill watched every Red Sox game on television from his home in Albuquerque and was thrilled when the team won the 2004 World Series, their first time to do so in 86 years. When Bill passed away, he was wearing his Boston Red Sox wrist watch that he proudly wore for many years; he then fell asleep on the same pillow he had used 60 years before at West Point.

Mr. Speaker, William Collins will be greatly missed by his family and many friends. I ask all my colleagues to join me in honoring the life of this fine American.

COMMEMORATING THE LIFE AND ACHIEVEMENTS OF JOHN H. JOHNSON

SPEECH OF

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2005

Mr. CUMMINGS. Mr. Speaker, I rise today to pay homage to John H. Johnson, who left this Earth on August 8, 2005 after a lengthy illness. I again extend my sincerest condolences to his family.

For my colleagues who may not be familiar with his legacy, John H. Johnson was a publishing icon—a true legend—who exemplified the power of faith, perseverance and entrepreneurial spirit. He was an extraordinary businessman whose life was like a giant tree that had grown from a small seed—one step and one season at a time.

His journey began on January 19, 1918, when he was born in Arkansas City, Arkansas. Although his father died in a sawmill accident when John was only eight years old, his mother worked diligently to move her family to Chicago and to give them a better life.

As a result of his mother's sacrifice and his unwavering faith, his dreams knew no boundaries. Consequently, in 1936 during the era of Jim Crow, with the mere vision of formulating a national magazine geared toward the empowerment of African-Americans and a $500 loan from his mother, Johnson did what many would deem impossible. He formed the now successful Johnson Publishing Company, Inc., which later published two of the nation's top African-American magazines, Ebony and Jet. Not only have these magazines served as the beginning of prosperous careers for young journalists, but they also serve to highlight positive accomplishments and achievements in the African-American community often overlooked in the mainstream media.

For Archbishop Desmond Tutu of South Africa, Ebony was the light that inspired him through the stormy days of apartheid. To Newsweek's contributing editor, Mr. Ellis Cose, the Chicago skyscraper that houses Mr. Johnson's company symbolizes just how high black entrepreneurship can reach. And for Members of the Congressional Black Caucus, both Jet and Ebony help us better serve our constituents by providing invaluable information on how our work in Washington affects their lives.

In addition to his publishing empire, John Johnson's phenomenal entrepreneurial skills coupled with his tenacity led him to successfully venture into cosmetics, television production, as well as the fashion industry. Needless to say, Mr. Johnson realized almost 70 years ago, that entrepreneurship can provide a path to achievement and wealth for Americans willing to invest in their own vision and abilities.

Besides his $500 million enterprise, some of his more well-known accolades include, appearing as the first African-American on the Forbes list of the 400 wealthiest Americans in 1982, receiving the Black Journalists' Lifetime Award in 1987 and the Wall Street Journal/Dow Jones Entrepreneurial Excellence Award in 1993, as well as the Presidential Medal of Freedom from President Clinton in 1996, the highest honor the nation can bestow on a citizen.

Furthermore, in 2003, the John H. Johnson School of Communications was established in his honor, while the John H. Johnson Delta Cultural and Entrepreneurial Learning Center in Arkansas City was dedicated to him in 2005. These are fitting honors to a man who dedicated his life to breaking barriers and to being a hallmark of excellence.

Mr. Speaker, again it is both an honor and a privilege to stand before you to give tribute to a man who dedicated his life's work to ensuring that African-Americans were uplifted. As a result he helped to uplift our nation.

I would like to close with a quote from his autobiography, Succeeding Against the Odds, ''I believe that the only failure is failing to try . . . and if my life has meaning . . . it is because millions of Americans, Black and White, have proved through me that the Dream is still alive and well and working in America.''

Mr. Speaker, John Johnson's life encapsulated the American dream—his works while on Earth ensure that the Dream remains an attainable reality. May he rest in peace.

ROFEH INTERNATIONAL HONORS PETER BLACK AND RAHMIN KODSI

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. FRANK of Massachusetts. Mr. Speaker, for years I have taken the opportunity to share through the pages of the CONGRESSIONAL RECORD the important work done by a very significant institution—ROFEH International—New England Chassidic Center.

This important organization, led by Grand Rabbi Levi Y. Horowitz, does extremely important and creative work in the medical field. Rabbi Horowitz is himself a very distinguished expert in the field of medical ethics, and demonstrates beyond any argument that an appreciation of the advantages of modern medicine and a deep commitment to one of the world's great religious traditions is not only fully compatible but can be mutually reinforcing.

This organization has done a great deal to help people in need of medical treatment and has done much to make sure that the superb medical facilities of the Greater Boston Area are available to people worldwide.

This year at the Annual Dinner on November 20, ROFEH International-New England Chassidic Center will honor two very eminent men who have distinguished themselves in support of this important work.

Dr. Peter Black, Neurosurgeon-in-Chief at Brigham and Women's Hospital, receives the ''ROFEH International Distinguished Service Award.'' Rahmin Kodsi, President of Clement Textile Company in Boston, is the recipient of the ''Man of the Year'' award.

Mr. Speaker, the sort of work that ROFEH International-New England Chassidic Center does in the medical field is highly worthy of emulation and I am taking advantage of this opportunity to ask that the drafts of biographies of these two extremely qualified honorees be made a part of this RECORD.

PETER M. BLACK, M.D., PH.D.

Dr. Peter Black has devoted most of his professional life to understanding and treating patients of all ages with brain tumors and/or epilepsy. He has traveled widely in developing countries to teach techniques and concepts. In Boston, he has developed a busy neurosurgical practice, believing that compassion, good judgment, and technical excellence must go hand in hand.

Dr. Black is a graduate of Harvard College and McGill Medical School, with neurosurgical residency at the Massachusetts General Hospital and a staff position there. In 1987, he became Franc D. Ingraham Professor of Neurosurgery at Harvard Medical School, Chairman, Departments of Neurosurgery at Brigham and Women's Hospital and Children's Hospital, Neurosurgeon-in-Chief at Brigham & Women's Hospital, and Chief of Neurosurgical Oncology at Dana-Farber Cancer Center, positions he has continued to hold since then.

He has published extensively in tumor and epilepsy research with over 350 peer-reviewed papers and ten books on these topics. His clinical work emphasizes cutting edge technology for treating tumors of all types; he is a leader in image-guided minimally invasive surgery, brain mapping, and intraoperative imaging for tumors.

Dr. Black is the chairman of the editorial board of Neurosurgery and sits on several other editorial boards of scientific journals. He is a frequent invited speaker at national and international conferences. Among his awards are the Mayfield, ASEAN and Botterell awards, the Distinguished Service award for the Joint Section on Tumors, the Distinguished Leadership in Neuroscience award for the Dana Alliance for Brain Initiatives, and the Pioneer Award from the Children's Brain Tumor

Foundation, and the Thomson Compassionate Scholar award from the Brigham and Women's Hospital.

Dr. Peter Black and Katharine his wife of38 years, have five children: Winifred, Peter Thomas, Elizabeth, Katharine, and Christopher, who live and work around the world.

MR. RAHMIN KODSI

Born in Cairo, Egypt in 1929, Rahmin Kodsi was only 16 years old when his father passed away. As the only son who suddenly needed to support his mother and two sisters, Rahmin was forced to drop out of school to assume his late father's textile business.

In 1960, Rahmin married Ginette, and they are now the proud parents of three daughters: Louna Levana, Lili Leah and Joyce Simcha.

During the Six Day War, the Egyptian government imprisoned and confiscated the property of successful Jews, accusing them of involvement with the Israeli government. As a prominent Egyptian Jew, Rahmin suffered that fate as well, though he was fortunate (relatively) enough to only spend 3 weeks in prison. He was subsequently relocated to Naples, and his family followed three months later. The Kodsi family lived briefly in Paris and then came to Boston in 1968.

In Boston, Rahmin opened his first textile business-Clement Textile—in 1971. He has contributed significantly to the Boston Jewish landscape as well as to the business world. He sits on the board of directors of the Sephardic Community of Greater Boston, and he participates in many other philanthropic projects.

Today, Rahmin and Ginette live in Chestnut Hill, Massachusetts, where they share many simchas with their daughters,

PROVIDING FOR CONSIDERATION OF H.R. 250, THE MANUFACTURING TECHNOLOGY COMPETITIVENESS ACT OF 2005

SPEECH OF

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2005

Mr. CARNAHAN. Mr. Speaker, I rise to oppose the rule to provide for consideration of H.R. 250, the Manufacturing Technology Competitiveness Act. The rule did not make in order an amendment that I submitted which would have elevated the advisory committee, present now and codified by H.R. 250, to a Presidential Council on Manufacturing. The amendment would have broadened the diversity of the Council and provided much needed accountability to their strategic role.

If our manufacturing industry and our manufacturing jobs are truly as important as much rhetoric suggests, we owe it to Americans in the industry to create a council that has the ear of our President.

As many of us know, the Council on Manufacturing has been in existence since last year and is now solely comprised of industry representatives. My amendment would broaden the diversity of those that sit on the panel to include labor, research, and academia, bringing a much needed voice to individuals adversely affected by and who have expertise in the current state of manufacturing.

Furthermore, under my amendment, the President's Manufacturing Council would be directed to develop a National Manufacturing Strategy with clear issues to consider and specific reports to be submitted to Congress.

As it stands currently, the Advisory Council is not carrying out its responsibilities as envisioned by H.R. 250, which assigns responsibilities to the Council to review federal manufacturing R&D and to review the actions of the Interagency Working Group on Manufacturing R&D. The Council has accomplished neither of these stated goals.

Perhaps most astonishing, according to the Commerce Department staff, the Council does not have an agenda for the coming year, nor were they certain that such an agenda would even be developed.

The National Council for Advanced Manufacturing reported on the Bush Manufacturing Initiative suggesting that the Council have a more expansive role, that they have a strong Congressional mandate, and that the committee be chaired by the Secretary of Commerce.

My colleagues, I believe it is clear that the Council as it stands now does not meet these recommendations.

We have seen drastic changes in manufacturing jobs in this country, transfer of entire operations overseas, and communities deeply affected by these changes.

While there is much disagreement in this body about how to tackle the problems affiliated with the changing climate of our workforce, I seldom hear disagreement that there is an ongoing change in the U.S. manufacturing sector.

Unfortunately, this rule will not allow us to consider the design of the Council. I urge a 'no' vote on the rule so that we may have the opportunity to proactively address the problems of the manufacturing industry and to fulfill a promise to working Americans in the sector that we value their industry and their contribution to our nation.

We will not sit idly by while our neighbors lose their jobs and their way of life.

Vote no so that we may task this Council with a strong mandate and a clear role.

IN RECOGNITION OF ANDRE LOUIS AND THE ''RIDE FOR THE AGES''

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. ACKERMAN. Mr. Speaker, I rise today in recognition of Andre Louis, a selfless and inspirational individual who completed his ''Ride for the Ages'' on September 11, 2005.

On August 10, Mr. Louis began a 3,300 mile journey by bicycle across the United States in an effort to raise awareness of the importance of maintaining physical health for senior citizens. Andre, the Psychiatric Services Coordinator at the Margaret Tietz Nursing and Rehabilitation Center in Jamaica, New York, was inspired by his experiences working with aging individuals suffering from serious health problems.

On his way from San Francisco to Jamaica, Andre, who himself is nearing retirement age, stopped at various American Association of Homes and Services for the Aging facilities to meet with and inspire staff members and patients alike. Accompanied by family members along the way, Andre has dedicated the ''Ride for the Ages'' to his daughter, Michele, who survived leukemia as a result of a bone marrow transplant from her brother Jean-Daniel.

Mr. Speaker, it is with great pride that I commend Andre Louis for his altruism and dedication to the health of our seniors. He is truly a determined individual and an inspiration to us all. I ask my colleagues in the House of Representatives to please join me in honoring Andre Louis for his extraordinary undertaking and wishing him many more years of success.

TRIBUTE TO ROBERT L. GOLDICH

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. SKELTON. Mr. Speaker, I wish to recognize the outstanding service of Robert L. Goldich, a Specialist in National Defense with the Foreign Affairs, Defense, and Trade Division of the Congressional Research Service. Mr. Goldich is retiring after 33 years at CRS. During this time, he has provided Members of Congress with perspective and analysis on a broad range of topics in military manpower and personnel policy, military history, Department of Defense organization, prisoner of war (POW) and missing in action (MIA) issues, and major aspects of overall U.S. defense policy.

During his career, Mr. Goldich excelled at working with Members of Congress and congressional staff on many issues. He is an expert on such issues as military retirement, military compensation and benefits, officer personnel management, military education and training; as well as the draft and all-volunteer force, military reserve components and the National Guard, and U.S. defense organization and management including the Goldwater-Nichols Act and the Reserve Officer Personnel Management Act. He received a CRS commendation for his service to Congress in 1987, and in 1991 he received a CRS meritorious award for his service to Congress during the Persian Gulf War. He is the second youngest person ever to graduate from the National War College.

Mr. Goldich also served twice as head of CRS's Military Manpower, Budget and Policy Management Section and was responsible for providing to Congress analytical capability on a variety of defense issues associated with the Department of Defense's budget and policy priorities. He received many accolades as a supervisor and lead with dedication, analytical skill, clear thinking, and fair-minded approach in working with members of the Section. In addition to his work for Congress, Mr. Goldich's outside professional activities are impressive. He was invited to participate in high level conferences, writing book reviews for the Army Center of Military History, and having longtime participatory memberships to the Inter-Agency Seminar Group and the Inter-University Seminar on Armed Forces and Society.

Mr. Speaker, please join me in thanking Mr. Goldich for his many years of service and his many contributions to congressional deliberations on defense related issues. I wish him and his family all the best in the days ahead.

CBC ANNUAL LEADERSHIP CONFERENCE 2005, HEALTHCARE FORUM

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. KUCINICH. Mr. Speaker, the following is a copy of a speech given by me for insertion into the CONGRESSIONAL RECORD.

Thank you for inviting me to the CBC Annual Meeting. I am honored to be here.

I want to impress on you today that addressing our national health crisis is well within our reach. In fact, there is only one truly sustainable solution and that's universal, single payer, not for profit health care.

We have all heard the statistics. Almost 46 million are uninsured. Only 5 percent of them are unemployed. 8.4 million children were uninsured in 2003. Over a third of the poor and more than a quarter of the near-poor lack coverage.

What does that mean for them? They are less healthy. They don't get adequate preventative care. For example, uninsured children are 70 percent more likely than insured children not to receive medical care for common conditions like ear infections. And an uninsured person has a 25 percent higher risk of dying than an insured person. This translates to 18,000 deaths per year in the U.S. that are attributable to lack of insurance coverage.

Being uninsured or even underinsured also takes a huge financial toll. Medical bills are the number one cause of personal bankruptcies. That will affect the ability to buy a home or make other large purchases that help define the American dream.

It's not hard to see why the U.S., when compared to other developed countries, has the lowest indicators of health. We have the lowest life expectancy and the worst continuity of care. We have the highest infant mortality rate and maternal mortality rate.

And yet our per capita health care spending is almost twice the average of developed countries that have universal coverage. That is largely because of gross inefficiency. Private health insurance overhead ranges from 12–30 percent while Medicare's is consistently about 2–3 percent.

In a nutshell, we're already paying for high quality, universal health care—we're just not getting it.

Now we already have a system that is a model for where we need to go. It's called Medicare. H.R. 676, which I am proud to have developed with my friend and colleague, Mr. CONYERS, would simply expand and improve Medicare. Under this plan, Medicare for All, every person in the country will receive comprehensive health care and every person will pay less. It doesn't cost any more than our nation currently spends on health care. It simply reallocates the money to better uses.

Here's how it works. It would give everyone living in America, including immigrants, a health care card. That card would guarantee coverage at any hospital, any clinic, and any doctor that a patient wants to use. Coverage would also be guaranteed for the entire range of patient's medical needs, from preventative care screening to prescription drugs to dental care to long-term care.

The wasted and excessive funds in our current health care system are so great that under Medicare for All, no patient would ever pay a premium, a deductible, a co-payment, or even see a bill for needed medical care. Cost would no longer be a worry for families or a reason for bankruptcy.

Medicare for All would also address the quality of health care. There are often no standards, or there are different standards for different people. If you're black, or if you're Hispanic, you know that the health care you receive is, too often, not the same as other people receive.

There should be a single standard of care, determined by a group of qualified medical professionals. Under Medicare for All, a new National Board of Universal Quality and Access would be established. The Board would include health care professionals, nurses, representatives of institutional providers of health care, health care advocacy groups, labor unions and citizen patient advocates. This Board is critical because it puts control of health care in the hands of providers and health experts instead of insurance companies and software writers.

The first priority of the Board would be to create a universal, best quality standard of care. This standard would determine appropriate staffing levels and appropriate medical technology. This standard would also cover design and scope of work in the health workplace. So, no matter what a patient looks like or where in the country the patient is treated, the health care standards are the same. Even if you already have health insurance now, the medical care you would receive under Medicare for All would be better.

Finally, Medicare for All would hold health care facilities accountable to the universal, best quality standard of care. Hospitals, clinics and other facilities would no longer be able to keep internal data secret, such as staffing ratios, medication errors, misdiagnoses or infection rates. As it stands, patients cannot compare health care quality data from hospital to hospital. Making that data public would ensure accountability. It would help facilities learn what problems need to be addressed. It would encourage them to do even better to deliver the best patient care possible.

Who supports such a health care system? About two thirds of Americans agree that the federal government should guarantee medical care for Americans. 58 percent of medical students and faculty favor a Medicare for All type of system. Multiple Deans of Medical Schools, the former Editor of the New England Journal of Medicine, about 40 percent of small business owners have all expressed support. The three major auto manufacturers (Ford, GM, and Daimler-Chrysler) in Canada have all publicly endorsed Canada's health system specifically because it lowers their costs so much that it gives them a significant competitive advantage over their U.S. counterparts in Detroit. This is an important point that resonates with lawmakers.

I am excited to report that H.R. 676 now has over 50 cosponsors and the list is growing. It includes rank and file as well as several ranking members with seniority; 15 members of the CBC as well as the Hispanic Caucus, the Progressive Caucus, the New Democrats; members that have cosponsored the bill since it was first introduced in 2003 and members who have heard about the growing movements in their states and have signed on for the first time.

I want to close by saying that I think you'll find that when you talk to people who follow health care policy closely and ask them what they think about H.R. 676 you're highly likely to get the same answer I usually get—Yes, it's the best system out there and would solve many of our health care problems, but it's just not politically feasible. That is not a good enough reason to avoid one of the biggest issues of our time. I usually just smile and tell them this: with health care costs rising faster than inflation with no end in sight and with the abject failure of managed care to contain those costs; and with the number of uninsured growing steadily; and with American companies losing their competitive edge because they are paying so much more for health care than other developed countries, the opposition cannot prevail much longer. Universal, not for profit single payer health care is not only feasible—it's inevitable.

MARY M. CROSS: A POINT-OF-LIGHT

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. OWENS. Mr. Speaker, as a result of recent events related to the E-Rate the education community pauses to honor Dr. Mary Cross for her unwavering commitment to the development and implementation of the E-Rate program, which is making the most advanced communications technologies available to children and adults across the nation, regardless of their race, ethnicity, social or economic status. Before the E-Rate program was implemented in 1997, very few American classrooms had the necessary wiring to connect many children and educators to the world of information outside textbooks and small school library collections. As a result community libraries lacked much of this needed infrastructure to serve the needs of but a few patrons at a time.

The role played by Dr. Cross in the early fights to establish the E-Rate was a critical one which established Dr. Mary M. Cross as a Point-of-Light for all Americans.

After Congress passed the Telecommunications Act of 1996, the E-Rate program started to help schools and libraries install and pay for advanced telecommunications resources, giving greatest priority for funding to economically disadvantaged schools. As a result of persistent advocacy and commitment over its 8-year life, the program has provided over $2 billion annually to districts. This has meant accelerating the pace at which technological innovations have entered America's classrooms, a pace that was unimaginable before the E-Rate program.

Unfortunately, some corporate giants tried to kill the E-Rate program by trying to cut services. In addition, many education groups were not in total agreement about key issues, which resulted in the E-Rate wars. We appreciate Dr. Cross's work at the American Federation of Teachers, as she fought vigorously in establishing and implementing this vital program by working tirelessly with her education group colleagues, the administration, the Congress, and friendly business interests.

We are equally thankful for her responsiveness by giving updates at several Education Braintrust meetings over the years. Her work assured that African American leadership and the community at-large were aware of and engaged in the advocacy needed to launch this program.

Mary Cross was born and raised in my hometown of Memphis, TN during the overt and brutal era of legal segregation in America. By tackling racial and gender barriers, she was part of the third class of women ever admitted to Lincoln University (PA) and later

went on to graduate school at Princeton University. She became the first African American woman to earn a Ph.D. in psychology from Princeton in 1976, where she studied the psychology of learning. Dr. Cross now serves in the AFT's Human Rights and Community Relations Department where she does research, member education, advocacy, and coalition-building on civil and human rights issues.

It is clear that the efforts of Dr. Cross and her colleagues paid off, as the E-Rate program has become a $10 billion investment in our schools and libraries. Although the battles for the E-Rate program are by no means over, we stop to take a moment to recognize Mary M. Cross as a tireless Champion for Education and Technology. Dr. Cross is a Point-of-Light for all Americans.

PERSONAL EXPLANATION

HON. JOHN LINDER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. LINDER. Mr. Speaker, I was unable to cast rollcall votes 478, 479, and 480 on September 21, 2005, because I was unavoidably detained on official business. Had I been present I would have cast the following votes: on rollcall No. 478, I would have voted "aye"; on rollcall No. 479, I would have voted "aye"; on rollcall No. 480, I would have voted "aye".

FREEDOM FOR RAFAEL MILLET LEYVA

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. LINCOLN DIAZ BALART of Florida. Mr. Speaker, I rise today to speak about Rafael Millet Leyva, a political prisoner in totalitarian Cuba.

Mr. Millet Leyva is President of the Martin Luther King Civic Resistance Movement. He believes in freedom, democracy, human rights and the rule of law. As a peaceful opponent of the tyrannical regime in Havana he has been the subject of constant abuse and harassment.

According to Amnesty International, in December 2001, Mr. Millet Leyva was pushed into a police vehicle and beaten and subsequently dumped in a remote area, after attempting to participate in an event celebrating the Universal Declaration of Human Rights. Amnesty International also reports that he was again detained by the dictatorship in June, 2002.

Despite being the constant target of abuse by the regime, Mr. Millet Leyva continued to demand liberty for the men and women of Cuba. Unfortunately, in March 2003, as part of the tyrant's heinous island wide crackdown on peaceful, pro-democracy activists, Mr. Millet Leyva was arrested by the regime. For over 2 years, he has languished in a grotesque gulag awaiting a sham trial.

His wife reports, "The inhumane conditions my husband has been subjected to have not changed his convictions or his ideals." The courageous life of Mr. Millet Leyva is a wonderful example of the heroism of the Cuban people. No matter how vile the repression, no matter how brutal the consequences of a dignified struggle for liberty, the totalitarian gulags are full of men and women of all backgrounds and ages who represent the best of the Cuban nation.

Mr. Speaker, it remains categorically unacceptable that men and women who demand freedom from tyranny are locked in the dungeons of monsters. We must continue to stand up and demand the liberation of all who suffer in the darkness of totalitarian rule. As we exercise our democratic rights, let us never forget those who are struggling to liberate the oppressed. My Colleagues, we must demand the immediate and unconditional release of Rafael Millet Leyva and every prisoner of conscience in totalitarian Cuba.

CELEBRATING THE BIRTH OF ROHAN KAPIL SHARMA

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. WILSON of South Carolina. Mr. Speaker, today, I am happy to congratulate Persis and Kapil Sharma of Alexandria, Virginia, on the birth of their new baby boy. Rohan Kapil Sharma was born on September 15, 2005, at 12:50 a.m., weighing 6 pounds, 3 ounces and measuring 19 inches long. Rohan has been born into a loving home, where he will be raised by parents who are devoted to his well-being and bright future. His birth is a blessing. As a fellow graduate of Washington and Lee University I am particularly happy for the Kap Sharma family.

CHASE WILLIAM CUNNINGHAM MAKES HIS MARK ON THE WORLD

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. ETHERIDGE. Mr. Speaker, I rise today to congratulate Mr. Dan Cunningham and Ms. Jennifer Eberhardt both formerly members of my staff, now married and living in Wisconsin, on the birth of their first child, Master Chase William Cunningham. Chase was born on Thursday, September 15, 2005, and weighed 6 pounds and 11 ounces. My wife, Faye, joins me in wishing Dan and Jennifer great happiness during this very special time in their lives.

As a father and now as a grandfather, I know the joy, pride, and excitement that parents experience upon the entrance of their child into the world. Representing hope, goodness, and innocence, a newborn allows those around him to see the world through his eyes . . . as a new, fresh place with unending possibilities for the future. Through a child, one is able to recognize and appreciate the full potential of the human race. I know that Dan and Jennifer look forward to the changes and challenges that their new son will bring to their lives while taking pleasure in the many rewards they are sure to receive as they watch him grow.

I welcome young Chase into the world and wish Dan and Jennifer all the best as they raise him.

THE MEDICARE INFORMED CHOICE ACT: A FIRST STEP IN PROTECTING MEDICARE BENEFICIARIES

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Ms. SCHAKOWSKY. Mr. Speaker, I am pleased to join my colleague, Representative PETE STARK, in introducing the Medicare Informed Choice Act, an immediate and essential first-step in protecting Medicare beneficiaries.

I believe that fundamental changes are needed to make the new Medicare drug benefit more affordable and less complicated. Along with my colleagues Representative MARION BERRY and BOB ANDREWS, I have introduced H.R. 752, the Medicare Prescription Drug Savings and Choice Act, which would establish a meaningful drug benefit in Medicare and require Medicare to negotiate for price discounts, as the VA and large employers do today. In the meantime, however, it is clear that Medicare's 42 million beneficiaries need immediate relief from the confusion and complexity of this fall's enrollment process. The Medicare Informed Choice Act would provide that relief by providing three simple changes in 2006: elimination of the late enrollment fee, a one-time opportunity for every beneficiary to switch plans, and protection against the loss of retiree health benefits.

I recently received a letter from a constituent, Phyllis Arist from Evanston, Illinois. She wrote:

> I urge you to suspend the late-enrollment penalty for Medicare Part D.
>
> Enrollment in Part D will be a challenge for anybody and everybody, whether that person is health care savvy or not. There will be dozens of complex plans that consumers will have to confront. How would you choose among a slew of different drug plans, each covering different drugs, using their own cost-sharing scheme, working with different pharmacy networks, and no guarantee that the plan will be around next year?
>
> If Medicare Part D were a straight-forward benefit like Medicare Part B, the penalty might be justified. But given the circumstances, it is unfair. People with Medicare need more time to understand the new Medicare drug benefit. More time, combined with reliable and comprehensive information, will ensure more people are making the right choices and not taking a leap of faith into the unknown.

I agree with Ms. Arist. It is abundantly clear that the enrollment process for the new Medicare drug benefit is complicated, confusing and can result in bad decisions by beneficiaries. Any of us who have tried to explain the basic benefit to our constituents knows how difficult it is to do so, let alone explain the variations in the multiple private plans that will be available to senior citizens and persons with disabilities. Private plans will vary in terms of premiums, cost-sharing requirements, covered drugs, and pharmacy sources. Beneficiaries taking multiple medications will find it difficult to sort out their options, especially in areas like Chicago where about 50 plans are expected to be available.

No one who is on the ground believes that the support and outreach services will be available to provide the one-on-one counseling

that beneficiaries and their families will want and will require to make informed choices. As the former executive director of the Illinois Council of Senior Citizens, I know that it will take hours with each beneficiary, many of them taking multiple medications, to fully explain private plan options and how each choice will affect their access to the drugs they need. A majority of beneficiaries lack regular access to a computer or have the ability to navigate websites. A recent HHS Inspector General's report found that 44 percent of callers to the Medicare hotline had difficulty accessing information. Many beneficiaries are frail, some suffer from dementia, and others are not English-proficient. We have to reach beneficiaries living in Centers for Independent Living, nursing homes and isolated areas. And, of course, we have to address the needs of the evacuees from Hurricane Katrina.

Tina Kitchin, director of the Oregon Department of Human Services, is not alone in saying "I don't know how Oregon will successfully do this within this timeframe." The State Health Insurance Program coordinator for McLean County, Illinois, is asking beneficiaries to call early because, "There are too many people for us to handle all of them on or after November 15," the first day that enrollment can begin. Already, the constituent advocates in my own district office have had difficulty getting answers to questions about how the new federal drug benefit will coordinate with our state's pharmaceutical assistance program. And already, we are seeing constituents who are confused, scared and angry about the inability to get answers to their questions while being pressured to make a fast decision.

It is time to recognize that the late enrollment penalty imposed in the Medicare Modernization Act is unfair to the 42 million beneficiaries who want to make informed choices, will not have access to unbiased assistance in making those decisions, but who will face substantial and permanent late enrollment fees if they don't act by May 15th. The Medicare Informed Choice Act will give beneficiaries the time they need to make the decision that is right for them.

Senior citizens and persons with disabilities will face obstacles in getting access to independent information, but they will be inundated with materials from private plans seeking customers. Beginning next month, Medicare beneficiaries and their families will be subjected to multi-million advertising campaigns by insurers. As reported in The Wall Street Journal ("Insurers Bet Big on New Drug Benefit," September 7, 2005), "The payoff could be big. The new drug benefit is expected to boost 2006 revenue at seven of the largest health insurers by at least $4.45 billion in 2006, and lift earnings by 2 percent to 4 percent according to CIBC World Markets analyst Carl McDonald." Some companies expect increased profit levels of 4 percent to 6 percent.

The pressure to make a quick decision will be enormous, particularly when coupled with a sales pitch arguing that failure to choose will result in a permanent, financial penalty. Without adequate, independent and personalized counseling, many beneficiaries will make the wrong decision. Getting rid of the late enrollment fee is only part of the solution. Our bill will give all beneficiaries the opportunity to switch their plan and enroll in one that better meets their needs, whether they enrolled by mistake or because they succumbed to sales pressure.

Finally, there is massive confusion about how the new Medicare drug benefit will mesh with current retiree benefits. Unfortunately, a beneficiary's misunderstanding and enrollment in a Medicare drug plan could result in the loss of retiree benefits. Again the Medicare Informed Choice Act gives a one-year grace period to sort out confusion and correct any errors.

I urge my colleagues to support the Medicare Informed Choice Act so that we can protect our constituents from unfair penalties or the loss of retiree benefits.

TRIBUTE TO ELAINE K. FREEMAN

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. CARDIN. Mr. Speaker, I rise today to pay special tribute to Elaine K. Freeman, Vice President of Corporate Communications for Johns Hopkins Medicine upon her retirement after 23 years. Elaine epitomizes what is best in corporate communications—she fully understands Johns Hopkins Medicine and she has the skills and ability to communicate the success of Hopkins to the public.

During her tenure, Elaine has seen Hopkins become nationally ranked as the number one medical facility in the nation, according to the U.S. News and World Report. In 1989, she also helped Hopkins celebrate its centennial as one of the Nation's most outstanding medical institutions.

Elaine is a gifted professional who understands that the strengths of Hopkins rest with its staff and faculty. Over the years, she has helped the public understand and relate to the important medical advances that come out of Hopkins, enabling people to understand the relationship between research and the impact on patients.

Elaine is unique in that she truly understands the medical community, and the importance of scientific research. She is married to Dr. John Freeman, Professor of Neurology and Pediatrics. In 1969, John joined Hopkins to create and direct the Johns Hopkins Child Neurology program.

In 1958, Elaine graduated from Goucher College as a Phi Beta Kappa. She also earned a masters degree from George Washington University. In 2001, she received the Excellence in Medical Education Public Affairs award from the Association of American Medical Colleges (AAMC).

I urge my colleagues in the U.S. House of Representatives to join me in wishing Elaine Freeman a happy and healthy retirement. Her skill and dedication to communicating medical developments has helped the public gain a greater understanding of medical issues.

RECOGNIZING MARIA REZA

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. BERMAN. Mr. Speaker, it is my distinct pleasure to rise today to recognize a dear friend and an outstanding educator, Maria Reza. In June 2005, Maria retired after 36 years of dedicated service to the Los Angeles Unified School District.

Maria believes that "to make a difference in the lives of our students, we must go beyond the classroom and work to improve the community and the environment in which they live." Throughout her career, Maria has embodied this belief and has dedicated her life to not only helping children learn in the classroom, but also to improving lives and conditions within our communities. Over the years, Maria has volunteered for the United Farm Workers, the Southwest Voter Registration Project and has devoted much of her life to serving the students and residents of the Northeast San Fernando Valley.

After graduating from San Fernando Valley State College, Maria started teaching at San Fernando High School in 1969. During her first year, she was recognized as "Intern of the Year" by the Los Angeles Unified School District Internship Program Office. In 1975, she was hired as a Resource Teacher in the Central Office and soon became District Home Economics Supervisor. She pioneered the Infant Study Program at Ramona, Roosevelt and Locke High Schools. This program continues to offer free childcare for high school age parents as well as provide them with valuable parenting skills.

As an assistant principal, Maria, along with a school nurse, Pam Wagner, established the first three school-based health clinics in LAUSD. The project faced much controversy and was opposed by some conservative organizations and churches. However, Maria knew the importance of providing health care to uninsured students and continued to work tirelessly to gain the support of students and parents. The proof of her efforts is overwhelmingly apparent today with over 40 school-based or school-linked clinics which provide a low cost, accessible form of health care. The demand for these programs continues to grow.

Among her many accomplishments, Maria Reza has distinguished herself as a strong female role model in the community. She has been recognized twice as "Woman of the Year," in 1992 by State Senator David Roberti and again in 1998 by State Senator Richard Alarcón. She was invited to participate in the HOPE, Hispanas Organized for Political Equality, leadership training and this year chaired the Adelante Mujer Conference, giving 300 young women the opportunity to attend career workshops conducted by professional Latinas.

Maria also has the distinction of being married to my good friend Alex Reza, a retired educator and an extraordinary community activist whom I have had the pleasure of knowing for many years. She is also the mother of three sons, Lance, Roman and David.

Mr. Speaker, Maria has set an admirable example for those who are committed to making a difference in the lives of others. It is with great pride that I ask my colleagues to join me in honoring Maria Reza, a woman whose dedication and achievements are a credit to our community.

IN RECOGNITION OF MERYL MENASHE

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. ACKERMAN. Mr. Speaker, I rise today in recognition of Meryl Menashe, who was recently named a Museum Teacher Fellow for the 2005–06 academic year by the United States Holocaust Memorial Museum.

Meryl, one of only fifteen teachers from across the Nation chosen to be a Museum Teacher Fellow this year, demonstrated extensive knowledge of Holocaust history, a record successful teaching experience, and a history of participation in community and professional organizations. She joins over 200 Museum Teacher Fellows in the United States Holocaust Memorial Museum's program, all of whom continue to serve as community leaders in Holocaust education.

As a Museum Teacher Fellow, Meryl will create an outreach project to bring Holocaust education to groups outside the walls of the traditional school environment. This may include distance learning, working with adult groups, or conducting programs in schools, the community, or other professional organizations. Mr. Speaker, I cannot stress enough the importance of Holocaust education. We must never forget. We must teach and remember the Holocaust because genocide is real. It is not history, it is reality.

Meryl will be returning to the United States Holocaust Memorial Museum throughout the year for further training and to report on her outreach project. Once the 2005–06 academic year is over, she will continue to advance American Holocaust education by supporting future fellows, and, of course, continuing to lead the effort in our community.

Mr. Speaker, it is with a great pride that I rise to commend Meryl Menashe. Her dedication to Holocaust education, a sad but necessary task, is extraordinary and she is well deserving of her appointment as a United States Holocaust Memorial Museum Teacher Fellow. I ask all my colleagues in the House of Representatives to please join me in honoring Meryl for her efforts and wishing her many more years of success.

TRIBUTE TO LIEUTENANT COLONEL BAYARD ''VIC'' TAYLOR

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. HUNTER. Mr. Speaker, I rise today to recognize and pay tribute to an outstanding American who has given so much to our nation, yet asks for so little—former U.S. Marine Corps Lieutenant Colonel Bayard ''Vic'' Taylor.

Vic did not just wear the uniform of a United States Marine. From the beginning of his Marine Corps career, he lived the life of a Marine, dedicated to serving his country and improving the primary responsibility of each Marine—to understand and execute the tactics of the rifleman.

Vic first enlisted in the Marine Corps in 1957 and served in Hawaii and the Far East until his release from military duty in 1960. With the war in Vietnam intensifying, he reenlisted in the Marine Corps in 1967 to fight during what many consider to be the war's darkest years. The Second Battalion, Fourth Marines were fortunate to have Vic as both a rifle platoon and company commander, where he was awarded the distinguished Silver Star, two Bronze Stars with Combat V, two Purple Hearts, the Navy Commendation Medal with Combat V, and the Vietnamese Cross of Gallantry with Silver Star.

In the jungles and battlefields of Vietnam, Vic quickly became familiar with intense and close quarter combat. Aside from leading a number of attacks against North Vietnamese Army fortifications along the Cua Viet River, he fought in the infamous battle for Dai Do. For many Vietnam veterans, the battle for Dai Do is not only a story of extreme heroism and courage, but also remains a testament to the brave men and fighting spirit of the United States Marine Corps. The victory at Dai Do can be credited to the extraordinary bravery, competence, initiative, toughness, and selflessness of individual Marines and small unit leaders like Vic Taylor who carried the day.

Vic's demonstrated knowledge of infantry tactics, techniques, and weaponry led to an assignment as an instructor at the Basic School in Quantico, Virginia, where he was later tasked with the responsibility of creating an improved Infantry Officer's Course (IOC). The need for such a course was predicated on the threat posed by our Cold War enemies and its purpose was to ensure Marines possessed the knowledge and training beyond basic infantry courses that were completed by officers in all occupational fields.

With the first class scheduled for May of 1977, Vic immediately gathered two equally creative and knowledgeable Marines, Terry Paul and Will Oler, as partners in this endeavor. They first determined the course should prepare newly acquainted infantry officers for the realities of combat. This meant managing a rifle platoon, obtaining increased weapons proficiency, and leading a rifle company in the event the Captain is either wounded or killed. However, during the course's development, it grew beyond expectations and featured not only tactics and weaponry, but also communications, demolitions, rough terrain skills and operations. While part of the instruction was derived from existing Marine Corps field manuals, much of it was original, drawn from Vic's personal experiences.

The IOC was completed on schedule and graduated its first class in June of 1977. The Marine Corps had a new Lieutenant, schooled to confront the dangers of combat and lead his fellow Marine through its peril.

The course has since increased in breadth and length, and rather than a six week curriculum as originally planned, it has expanded to 13 weeks and now includes an instructive desert operation course that has undoubtedly prepared our Marines for duty in Iraq and Afghanistan. Vic took great pride in knowing that this course would challenge each infantry officer with extreme circumstances and unique environments, similar to what he faced in the battle of Dai Do.

The infantryman shares a common bond that unlike many other service occupations, strengthens amongst trial and adversity. Their necessity, coupled with their sacrifice, should never be forgotten in the minds of Americans and will surely never be forgotten in the mind of the Marine. For each distinguished graduate leaving the IOC, nothing is more appropriate than expressing appreciation for this type of warrior's accomplishment than honoring him with tools of the trade. Knowing that the respect and history of the infantry lives in its weaponry, Vic thought it essential to provide each distinguished IOC graduate with a .45 caliber automatic Colt pistol—the weapon he often resorted to in combat and the weapon many of these Marines will continue to rely on in similar circumstances. He took it upon himself and endowed the Marine Corps University Foundation to maintain this distinguished award in perpetuity, citing each of these Marines as ''the Lieutenant I'd most like to have on my flank.''

Mr. Speaker, President Ronald Reagan once said, ''Some people spend an entire lifetime wondering if they made a difference. The Marines don't have that problem.'' While I fully believe this to be true, I also feel that it is the service and dedication of Marines like Vic Taylor that validates this statement. Without his contribution and concern, it is likely that our fighting men and women on the ground would not have the knowledge and experience they posses today.

Despite Vic's retirement from the military in 1985, his leadership and guidance continues to serve the Marine Corps and will do so for years to come. Mr. Speaker, I ask that my colleagues join me in giving the thanks and respect Bayard ''Vic'' Taylor deserves for his service to the Marine Corps and to our nation.

CONGRATULATING CWA PRESIDENT MORTON BAHR ON HIS RETIREMENT

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. DINGELL. Mr. Speaker, I rise today to congratulate my good friend Morton ''Morty'' Bahr, on his retirement as President of the Communications Workers of America after over 50 years of service to the union and the nation.

Morty Bahr has been with CWA for longer than I have been in Congress, and together we have fought and won many battles on behalf of working men and women. After his service as a radio operator for the Merchant Marine during World War II, Morty joined CWA in 1951 as an in-plant organizer for Mackay Radio and Telegraph in New York. In 1957, he joined the staff of CWA and succeeded in his first assignment: organizing 24,000 plant workers at New York Telephone. He later served as vice president of District 1 covering New York, New Jersey and New England, and was elected CWA president in 1985.

When Morty assumed the top leadership role, CWA was still reeling from the breakup of the AT&T Bell System, a system that employed half a million union workers. After the split, both labor and management recognized that workers would need to develop new skills to remain competitive within AT&T and throughout the industry. Under Morty's leadership, the union formed the Alliance for Competitive Growth and Development, an innovative partnership dedicated to the career success of each individual union-represented

worker. I am happy to say that the Alliance has been a great success, with 170,000 participants, nearly 1 million course enrollments and over 12.5 million hours of training.

Morty Bahr is a pioneer of the Information Age. His effort to furnish workers with the tools they need to improve their lives not only created the telecommunications technicians who are integral to our economy, but it also made America the leader in all manner of communications. This effort is of particular importance today, as America faces the daunting task of maintaining its role as a global leader in the research and development of new science and technology.

The Alliance is only one of the many revolutionary partnerships and programs Morty has guided and nurtured throughout his career. Others include the National Coalition for Telecommunications Education and Learning (NACTEL), one of the first partnerships of major telecom companies working together with their unions to advance education. NACTEL is an online learning partnership with CWA, IBEW, Verizon, SBC, Qwest and Citizens/Frontier.

Morty and his wife Florence recently celebrated their 60th wedding anniversary and have two children, five grandchildren and two great-grandchildren. As Morty begins his retirement, I hope you will join me in wishing Florence and him a healthy and relaxing journey. His heartfelt dedication to the workers of this nation will not be forgotten.

IN SUPPORT OF THE CAMPAGNA CENTER

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. MORAN of Virginia. Mr. Speaker, I rise today in support of the Campagna Center, the leading nonprofit human services organization in the city of Alexandria, Virginia. For 60 years, the Campagna Center has served low-income citizens in my district, providing both Early Head Start and Head Start programs to over 300 income-eligible families. The center also provides child care, tutoring, and mentoring programs to school-aged children, and meaningful volunteer opportunities to older members of my district.

The work of organizations like the Campagna Center is crucial to the development of children who come from lower-income households, offering the opportunity to truly level the playing field for these children and prepare them for school. The programs offered at the Campagna Center include early childhood education, as well as health and nutritional services. The Campagna Center, however, recognizes that family is the most important influence in a child's life, and parents and other family members are strongly encouraged to be active contributors to these programs.

Recognition of this wonderful organization is especially poignant as this body debates HR 2123, School Readiness Act of 2005. It has been said that Education is the great equalizer in a democratic society, and we must ensure that programs like these continue to receive the funding required to help children achieve. The impact of Head Start programs is not measured in dollars, but in the faces of children who finally have the opportunity to excel in their education.

The Campagna Center has provided such opportunities to students in my home district, and the impact on these children is significant. I congratulate the Board of Directors, staff members, and all of the selfless volunteers that make this organization such a success. Under their leadership, hundreds of young children go to school prepared for the challenges that lie before them.

INTRODUCTION OF THE PETS EVACUATION AND TRANSPORTATION STANDARDS (PETS) ACT OF 2005

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2005

Mr. LANTOS. Mr. Speaker, I am joined today by my colleagues, CHRISTOPHER SHAYS of Connecticut, Mr. DON YOUNG of Alaska, Mr. JAMES OBERSTAR of Minnesota, and Mr. BARNEY FRANK of Massachusetts to urge our colleagues to join with me in introducing H.R. 3858, the Pets Evacuation and Transportation Standards (PETS) Act of 2005. This common sense legislation would simply require state and local preparedness groups to include plans for evacuating pet and service animals in the event of a major disaster.

The destructive force of Hurricane Katrina exposed many flaws in our nation's emergency preparedness programs, and any disaster plan's top priority must be to save citizens from the affected areas. One easily correctible issue that has come to light, however, is the fact that many of our cities' plans do not incorporate a protocol for rescuing pet owners. Without a corrected protocol, pet owners are unnecessarily forced to choose between their own safety and the safety of their pets.

Mr. Speaker, as you may know, in order for a state to qualify for FEMA funding, state and local emergency preparedness authorities are required to submit a plan on how they will deal with a disaster. This legislation does not transfer any funds from planners or rescuers, but rather requires states to include how they plan to accommodate their incumbent pet population as well as people with disabilities that are aided by service animals. FEMA will require the jurisdictions to submit their emergency preparedness plans in order to be eligible for FEMA funding assistance in the event of a disaster.

In hurricane-ravaged New Orleans, the lack of planning added to the burden and stress of both rescuers and residents. In a city of 500,000 as many as 69 percent of the people are pet owners and, by some estimates, there are as many as 600,000 pets and animals affected by the devastation of hurricane Katrina. Private rescue organizations estimate they have saved about 5,000 animals so far and have reunited only 600 animals with their owners. Estimates indicate there are an equal percentage of pet owners nationwide. Given these statistics, we hope you agree an emergency plan that incorporates pets is warranted.

Mr. Speaker, the faces of the men and women stranded in flooded New Orleans will be forever etched in my mind. The images of little children with nothing in the world other than the shirts on their backs still disturb me at night. But I cannot help but wonder how many more people could have been spared the wrath of Hurricane Katrina if only they could have taken the family pet.

Daily Digest

HIGHLIGHTS:

Senate passed H.R. 2744, Agriculture Appropriations.

Senate passed H.R. 2528, Military Construction/Veterans Affairs Appropriations.

Senate

Chamber Action

Routine Proceedings, pages S10327–S10393

Measures Introduced: Seventeen bills and four resolutions were introduced, as follows: S. 1750–1766, and S. Res. 247–250. **Page S10378**

Measures Passed:

Agriculture Appropriations: By 97 yeas to 2 nays (Vote No. 241), Senate passed H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2006, after taking action on the following amendments proposed thereto: **Pages S10327–32**

Rejected:

By 47 yeas to 52 nays (Vote No. 240), Dayton Modified Amendment No. 1844, to condition the use of funds for carrying out a provision relating to prevented planting payments, with an offset. **Pages S10327–28**

Withdrawn:

Bingaman (for Jeffords) Amendment No. 1796, to provide funds to carry out the historic barn preservation program, with an offset. **Page S10327**

A unanimous-consent request was granted permitting Senator Stevens to change his nay vote to a yea vote on Vote No. 237 changing the outcome of the vote to 69 yeas to 28 nays relative to Ensign Amendment No. 1753, as modified (adopted on September 20, 2005). **Page S10332**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Bennett, Cochran, Specter, Bond, McConnell, Burns, Craig, Brownback, Stevens, Kohl, Harkin, Dorgan, Feinstein, Durbin, Johnson, Landrieu, and Byrd. **Page S10332**

Military Construction/Veterans Affairs Appropriations: By a unanimous vote of 98 yeas (Vote No. 243), Senate passed H.R. 2528, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, agreeing to the committee amendment in the nature of a substitute, which will be considered as original text for the purpose of further amendment, after taking action on the following amendments proposed thereto: **Pages S10335–60**

Adopted:

Hutchison (for Coburn) Amendment No. 1858, to require that any limitation, directive, or earmarking contained in either the House of Representatives or Senate report accompanying this bill be included in the conference report or joint statement accompanying the bill in order to be considered as having been approved by both Houses of Congress. **Page S10353**

Hutchison (for Carper) Amendment No. 1859, to provide that, of the amount made available by title I for military construction for the Air National Guard and available for planning and design, $1,440,000 shall be made available for planning and design for a replacement C–130 maintenance hangar at Air National Guard New Castle County Airport, Delaware. **Page S10353**

Hutchison (for Boxer) Amendment No. 1860, to require a report on housing assistance to low-income veterans. **Page S10353**

Hutchison (for Chambliss/Isakson) Amendment No. 1861, to provide that, of the amount appropriated by this title under the heading "Military Construction, Army", $4,550,000 shall be made available for the construction of a military police complex at Fort Gordon, Georgia, and to provide an offset. **Pages S10353–54**

Hutchison (for Feinstein) Amendment No. 1862, to increase by $25,000,000 the amount made available by title I for the Department of Defense Base Closure Account 1990, and to provide an offset. **Page S10354**

Hutchison (for Feingold/Salazar) Amendment No. 1863, to require the Secretary of Veterans Affairs to report to Congress on a plan to provide veterans benefits handbooks to all county veterans service officers. **Page S10354**

Hutchison (for Durbin/Murray) Amendment No. 1864, to place conditions on the use of appropriated funds for reviewing or revoking approved disability claims for post-traumatic stress disorder and to prohibit the Secretary of Veterans Affairs from using Federal funds for certain investigations until after the submission of a detailed implementation plan to the Committee on Appropriations. **Page S10354**

Hutchison (for Durbin) Amendment No. 1865, to instruct the Department of Veterans Affairs to conduct a veterans disability compensation information campaign. **Pages S10354–55, S10355–56**

Hutchison (for Jeffords) Amendment No. 1866, to provide clinical training and protocols to meet the mental health care needs of servicemembers and veterans. **Page S10355**

Hutchison (for Salazar) Amendment No. 1867, to require a report on any Department of Veterans Affairs budget shortfall totaling 2 percent or more of the Department's total discretionary funding budget for a fiscal year. **Page S10356**

Craig (for Salazar) Amendment No. 1868, to assist rural veterans. **Pages S10356–59**

Rejected:

By 48 yeas to 50 nays (Vote No. 242), Akaka Amendment No. 1852, to provide an additional $10,000,000 for the Readjustment Counseling Service, with a corresponding offset from the HealtheVet account. **Pages S10351–53, S10359–60**

Senate insisted on its amendments, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Hutchison, Burns, Craig, DeWine, Brownback, Allard, McConnell, Cochran, Feinstein, Inouye, Johnson, Landrieu, Byrd, Murray and Leahy. **Page S10360**

A unanimous-consent agreement was reached providing that, notwithstanding the earlier passage of the bill, the following amendments be agreed to:

Frist (for Hutchison) Amendment No. 1870, to provide funds for Phase 1a of a Permanent Party Barracks at Fort Leonard Wood, Missouri and for an Airfield Fire Station at Fort Sill, Oklahoma. **Page S10391**

Frist (for Hutchison) Amendment No. 1871, to make funds available for a B–2 Conventional Munitions Storage Facility at Whiteman Air Force Base, Missouri and for Phase 1 of Force Protection Enhancement at Vance Air Force Base, Oklahoma. **Page S10391**

Children Displaced by Hurricane Katrina: Senate passed S. 1764, to provide for the continued education of students affected by Hurricane Katrina. **Pages S10387–88**

Indian Financing Act Amendment: Senate passed S. 1758, to amend the Indian Financing Act of 1974, to provide for sale and assignment of loans and underlying security. **Pages S10388–89**

Commending James Madison Council: Senate agreed to S. Res. 247, commending the Library of Congress's private-sector advisory body, the James Madison Council, and its Founding Chairman, John W. Kluge on 15 years of exemplary service to Congress and the Nation and looking forward to the Council's continued success in the years ahead. **Pages S10389–90**

Commemorating West Oahu Little League Team: Senate agreed to S. Res. 248, commemorating the West Oahu Little League Team for winning the 2005 Little League World Series. **Page S10390**

Commemorating Oahu All-Stars: Senate agreed to S. Res. 249, commemorating the Oahu All-Stars for winning the 2005 Cal Ripken World Series and the Hawaii Warriors for winning the 2005 Continental Amateur Baseball Association World Series (ages 9–under). **Pages S10390–91**

Supporting Gold Star Mothers Day: Senate agreed to S. Res. 250, supporting the goals and ideals of Gold Star Mothers Day. **Page S10391**

Infant Mortality Awareness Month: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 239, supporting the goals and ideals of Infant Mortality Awareness Month, and the resolution was then agreed to. **Page S10391**

Grain Standards Act Authorization: Senate passed S. 1752, to amend the United States Grain Standards Act to reauthorize that Act. **Page S10392**

Roberts Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at 1 p.m., on Monday, September 26, 2005, Senate begin consideration of the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States. **Page S10392**

Nominations Confirmed: Senate confirmed the following nomination:

Robert B. Holland III, of Texas, to be United States Executive Director of the International Bank

for Reconstruction and Development for a term of two years. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.) **Page S10393**

Nominations Received: Senate received the following nominations:

Dorrance Smith, of Virginia, to be an Assistant Secretary of Defense.

Katherine Baicker, of New Hampshire, to be a Member of the Council of Economic Advisers.

Matthew Slaughter, of New Hampshire, to be a Member of the Council of Economic Advisers.

Benson K. Whitney, of Minnesota, to be Ambassador to Norway.

David M. Hale, of New Jersey, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador to the Hashemite Kingdom of Jordan.

John O. Agwunobi, of Florida, to be Medical Director in the Regular Corps of the Public Health Service, subject to the qualifications therefor as provided by law and regulations.

1 Air Force nomination in the rank of general.

1 Army nomination in the rank of general.

Page S10393

Messages From the House: **Page S10373**

Measures Referred: **Page S10373**

Measures Placed on Calendar: **Page S10373**

Measures Read First Time: **Page S10373**

Enrolled Bills Presented: **Page S10373**

Executive Communications: **Pages S10373–77**

Executive Reports of Committees: **Pages S10377–78**

Additional Cosponsors: **Pages S10378–79**

Statements on Introduced Bills/Resolutions: **Pages S10379–83**

Additional Statements: **Pages S10372–73**

Amendments Submitted: **Pages S10383–86**

Notices of Hearings/Meetings: **Page S10386**

Authority for Committees to Meet: **Pages S10386–87**

Privilege of the Floor: **Page S10387**

Record Votes: Four record votes were taken today. (Total—243) **Pages S10328, S10332, S10359–60, S10360**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:28 p.m., until 1 p.m., on Monday, September 26, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S10392–93.)

Committee Meetings

(Committees not listed did not meet)

IDENTITY THEFT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the financial services industry's responsibilities and role in preventing identity theft and protecting sensitive financial information, after receiving testimony from Senator Pryor; Stuart K. Pratt, Consumer Data Industry Association, Edmund Mierzwinski, U.S. Public Interest Research Group, Ira D. Hammerman, Securities Industry Association, Gilbert T. Schwartz, Schwartz and Ballen LLP, on behalf of the American Council of Life Insurers, and Oliver I. Ireland, Morrison and Foerster, on behalf of the American Bankers Association, all of Washington, D.C.

COMMUNICATIONS IN DISASTER

Committee on Commerce, Science, and Transportation: Committee held a hearing to examine the protection of critical communications infrastructure during a disaster, focusing on the impact on communications services in the area effected by Hurricane Katrina, a status report on the extent to which services have been restored, and steps the Federal Communications Commission has taken to facilitate the restoration of service and to provide support for evacuees, receiving testimony from Kevin J. Martin, Chairman, Federal Communications Commission; William L. Smith, BellSouth, and Paul Roth, Cingular Wireless, both of Atlanta, Georgia; Jeffrey A. Citron, Vonage Holdings Corporation, Edison, New Jersey; and Hossein Eslambolchi, AT&T Global Networking Technology Services and AT&T Labs, Bedminster, New Jersey.

Hearings will continue on Thursday, September 29.

LAND BILLS

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine S. 435, to amend the Wild and Scenic Rivers Act to designate a segment of the Farmington River and Salmon Brook in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, S. 1096, to amend the Wild and Scenic Rivers Act to designate portions of the Musconetcong River in the State of New Jersey as a component of the National Wild and Scenic Rivers System, S. 1310, to authorize the Secretary of the Interior to allow the Columbia Gas Transmission Corporation to increase the diameter of a natural gas

pipeline located in the Delaware Water Gap National Recreation Area, S. 1378, to amend the National Historic Preservation Act to provide appropriation authorization and improve the operations of the Advisory Council on Historic Preservation, and S. 1627, to authorize the Secretary of the Interior to conduct a special resources study to evaluate resources along the coastal region of the State of Delaware and to determine the suitability and feasibility of establishing a unit of the National Park System in Delaware, after receiving testimony from Senator Dodd and Carper; Janet Snyder Matthews, Associate Director for Cultural Resources, National Park Service, Department of the Interior; Timothy Slavin, State of Delaware Historical and Cultural Affairs, Dover; Eric Hammerling, Farmington River Watershed Association, Inc., Simsbury, Connecticut; Beth Anne Styler Barry, Musconetcong Watershed Association, Asbury, New Jersey; Michael W. Roberts, Columbia Gas Transmission Corporation, Chester Springs, Pennsylvania; and John Fowler, Advisory Council on Historic Preservation, Washington, D.C.

NOMINATIONS

Committee on Environment and Public Works: Committee concluded a hearing to examine the nominations of Santanu K. Baruah, of Oregon, to be Assistant Secretary of Commerce for Economic Development, who was introduced by Senator Smith; George M. Gray, of Massachusetts, to be an Assistant Administrator, and Lyons Gray, of North Carolina, to be Chief Financial Officer, who was introduced by Senator Burr, both of the Environmental Protection Agency; H. Dale Hall, of New Mexico, to be Director of the United States Fish and Wildlife Service, Department of the Interior, who was introduced by Senator Domenici; and Edward McGaffigan, Jr., of Virginia, to be a Member of the Nuclear Regulatory Commission, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Alexander R. Vershbow, of the District of Columbia, to be Ambassador to the Republic of Korea, Patricia Louise Herbold, of Washington, to be Ambassador to the Republic of Singapore, who was introduced by Senators Murray and Cantwell, and William Paul McCormick, of Oregon, to be Ambassador to New Zealand, and serve concurrently as Ambassador to Samoa, who was introduced by Senators Wyden and Smith, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the following business items:

S. 1725, to strengthen Federal leadership, provide grants, enhance outreach and guidance, and provide other support to State and local officials to enhance emergency communications capabilities, to achieve communications interoperability, to foster improved regional collaboration and coordination, to promote more efficient utilization of funding devoted to public safety communications, to promote research and development by both the public and private sectors for first responder communications, with amendments;

An original bill to provide relief for the victims of Hurricane Katrina, with amendments;

S. 1738, to expand the responsibilities of the Special Inspector General for Iraq Reconstruction to provide independent and objective audits and investigations relating to the Federal programs for Hurricane Katrina, with an amendment;

S. 939, to expedite payments of certain Federal emergency assistance authorized pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and to direct the Secretary of Homeland Security to exercise certain authority provided under that Act, with an amendment in the nature of a substitute;

S. 1736, to provide for the participation of employees in the judicial branch in the Federal leave transfer program for disasters and emergencies;

S. 572, to amend the Homeland Security Act of 2002 to give additional biosecurity responsibilities to the Department of Homeland Security, with an amendment in the nature of a substitute;

S. 1700, to establish an Office of the Hurricane Katrina Recovery Chief Financial Officer, with an amendment in the nature of a substitute; and

The nominations of Stewart A. Baker, of Virginia, to be an Assistant Secretary of Homeland Security, John R. Fisher, to be an Associate Judge of the District of Columbia Court of Appeals, Colleen Duffy Kiko, of Virginia, to be General Counsel of the Federal Labor Relations Authority, and Juliet JoAnn McKenna, to be an Associate Judge of the Superior Court of the District of Columbia.

MEDICARE DRUG BENEFIT

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine cost and payment plans for the Medicare Prescription Drug,

Improvement, and Modernization Act of 2003, focusing on access to outpatient prescription drug coverage under Medicare Part D, after receiving testimony from Leslie Norwalk, Deputy Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and Joseph R. Antos, American Enterprise Institute, Jagadeesh Gokhale, Cato Institute, and Marilyn Moon, American Institutes for Research, all of Washington, D.C.

DISPLACED SCHOOL CHILDREN

Committee on Health, Education, Labor, and Pensions: Subcommittee on Education and Early Childhood Development concluded a hearing to examine Federal and State efforts to meet the educational needs of students and families displaced by Hurricane Katrina, after receiving testimony from Senators Lott and Landrieu; Henry L. Johnson, Assistant Secretary of Education for Elementary and Secondary Education; Rodney R. Lafon, St. Charles Parish Public School District, Luling, Louisiana; Sister M. Michaeline Green, Louisiana Department of Education, Baton Rouge; Michael Stein Margolin Hebrew Academy, Memphis, Tennessee; Daryl Gates, Caddo Public School District, Shreveport, Louisiana.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States.

KATRINA VS. SMALL BUSINESS

Committee on Small Business and Entrepreneurship: Committee concluded a hearing to examine the impact of Hurricane Katrina on small businesses and the efforts of the Small Business Administration to provide relief to the victims, after receiving testimony from Hector V. Barreto, Administrator, and Herbert L. Mitchell, Associate Administrator, Office of Disaster Assistance, both of the U.S. Small Business Administration; John Rowland, Southern Hospitality Catering, on behalf of the National Federation of Independent Business, and Woodrow J. Wilson, Jr., Gulf South Animated Motion Technologies, Inc., both of New Orleans, Louisiana; Alta Baker, Safe Haven Enterprises, Jennings, Louisiana, on behalf of Women Impacting Public Policy; Mary Lynn Wilkerson, Louisiana Small Business Development Centers, Monroe; Richard Harris, Harris Homes, Ocean Springs, Mississippi; Timothy Swindall, SWR Inc., Troy, Alabama; and Michele Sutton, Fairway Ventures, Hammond, Louisiana.

NATIONAL MILITARY CEMETERIES

Committee on Veterans Affairs: Committee concluded a hearing to examine the Department of Veterans' Affairs implementation of the capital crime prohibition statute, intended to prohibit certain capital offenders from internment or memorialization in Arlington National Cemetery, after receiving testimony from Senator Mikulski; Richard A. Wannemacher, Jr., Acting Under Secretary of Veterans Affairs for Memorial Affairs; Thurman M. Higginbotham, Deputy Superintendent, Arlington National Cemetery; Dennis M. Cullinan, Veterans of Foreign Wars of the United States, Washington, D.C., on behalf of sundry veterans' organizations; and Vernon G. Davis, Hagerstown, Maryland.

INTELLIGENCE AUTHORIZATION

Select Committee on Intelligence: Committee ordered favorably reported an original bill authorizing funds for fiscal year 2006 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 36 public bills, H.R. 3857–3892; and 3 resolutions, H. Con. Res. 249; and H. Res. 458–459 were introduced. **Pages H8340–41**

Additional Cosponsors: **Pages H8341–43**

Reports Filed: Reports were filed today as follows:

H.R. 513, to amend the Federal Election Campaign Act of 1971 to clarify when organizations described in section 527 of the Internal Revenue Code of 1986 must register as political committees (Rept. 109–181, Pt. 2);

H. Res. 420, to direct the Attorney General to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the Attorney General relating to the disclosure of the identity and employment of Ms. Valerie Plame, adversely (Rept. 109–230);

H.R. 609, to amend and extend the Higher Education Act of 1965, with an amendment (Rept. 109–231);

H.R. 2830, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to reform the pension funding rules, with an amendment (Rept. 109–232, Pt. 1);

H.R. 3402, to authorize appropriations for the Department of Justice for fiscal years 2006 through 2009, with an amendment (Rept. 109–233); and

H. Res. 417, to direct the Secretary of Defense to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the Secretary of Defense relating to the disclosure of the identity and employment of Ms. Valerie Plame, adversely (Rept. 109–234). **Page H8340**

Chaplain: The prayer was offered today by Rev. Anthony Marciano, Executive Director, Charlotte Rescue Mission, Charlotte, North Carolina. **Page H8251**

Journal: Agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 346 yeas to 59 nays with one voting ''present'', Roll No. 487.

Pages H8263–64

School Readiness Act of 2005: H.R. 2123, to reauthorize the Head Start Act to improve the school readiness of disadvantaged children (by a recorded vote of 231 ayes to 184 noes, Roll No. 493).

Pages H8253–63, H8264–H8324

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill is considered as an original bill for the purpose of amendment and shall be considered as read.

Page H8287

Agreed to:

Castle Manager's amendment (no. 1 printed in H. Rept. 109–229) that revises the financial audit language in Section 17 to ensure that financial audit requirements for Head Start programs are consistent with those required under the Single Audit Act Amendments of 1986, and a number of technical and conforming changes; **Pages H8299–H8301**

DeLauro amendment (no. 3 printed in H. Rept. 109–229) which allows Head Start centers to develop or maintain partnerships with institutions of higher education and non-profit organizations to support college students that serve as mentors and reading coaches to preschool children; **Pages H8304–05**

Kind amendment (no. 6 printed in H. Rept. 109–229) that suspends further implementation of the National Reporting System while the National Academy of Sciences (NAS) conducts a review and provides guidance on appropriate child outcomes and assessments for young children, as authorized in H.R. 2123; **Pages H8307–08**

Mica amendment (no. 7 printed in H. Rept. 109–229) that directs the Secretary of HHS to undergo a management reform initiative. Requires HHS to utilize an outside management consulting firm to recommend and support the implementation of internal reforms to improve the Head Start Bureau's operational effectiveness; **Pages H8308–10**

Filner amendment (no. 8 printed in H. Rept. 109–229) which initiates a study to assess the impact of new Head Start teacher qualification and development regulations upon teacher retention;

Pages H8310–11

Millender-McDonald amendment (no. 9 printed in H. Rept. 109–229) which encourages Head Start grantees to reduce barriers by directing them to increase their outreach to homeless and foster children. It also encourages coordination between Head Start grantees and community service providers and homeless and foster children; **Pages H8311–12**

Woolsey amendment (no. 11 printed in H. Rept. 109–229) that directs the Secretary of Health and Human Services to assist Head Start programs in areas affected by Hurricane Katrina. Requires the Secretary to provide additional technical assistance, guidance, and resources to Head Start agencies in affected areas, waives documentation requirements for six months, and provides the Secretary with waiver authority to exempt programs from providing their local match; **Pages H8313–14**

Stearns amendment (no. 4 printed in H. Rept. 109–229) which includes in section 18 ''Children with Disabilities,'' in the list of areas for training to be provided by the Secretary of Education, (by a recorded vote of 411 ayes with none voting ''no'', Roll No. 489); **Pages H8305–06, H8321**

Davis of Illinois amendment (no. 5 printed in H. Rept. 109–229) that directs the Secretary to implement an outreach program to train and recruit African-American and Latino-American men to become Head Start teachers in order to increase the provision of quality services and instructions to children with diverse backgrounds, (by a recorded vote of 401 ayes to 14 noes, Roll No. 490); and

Pages H8306–07, H8321–22

Boehner amendment (no. 12 printed in H. Rept. 109–229) that provides hiring protections for faith-based Head Start providers, (by a recorded vote of 220 ayes to 196 noes, Roll No. 492).

Pages H8314–20, H8323

Rejected:

Souder amendment (no. 2 printed in H. Rept. 109–229) that sought to restore the current joint governance structure of the Head Start program by allowing the policy councils to approve or disapprove most program planning and operation activities along with the board of directors, (by a recorded vote of 153 ayes to 266 noes, Roll No. 488); and

Pages H8301–04, H8320–21

Musgrave amendment (no. 10 printed in H. Rept. 109–229) which sought to allow for profit providers of Head Start services to take profit from 15% administrative account, (by a recorded vote of 175 ayes to 241 noes, Roll No. 491). **Pages H8312–13, H8322**

The amendment in the nature of a substitute, as amended, was adopted. **Page H8323**

Agreed that the Clerk be authorized to make technical and conforming changes in the engrossment of the bill to reflect the actions of the House. **Page H8324**

H. Res. 455, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 221 yeas to 189 nays, Roll No. 486, after agreeing to order the previous question by voice vote. **Pages H8253–63**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 2 p.m. on Monday, September 26, and when the House adjourns on Monday, it adjourn to meet at 12:30 p.m. on Tuesday, September 27, 2005, for Morning Hour debate. **Page H8326**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, September 28. **Page H8326**

Senate Message: Message received from the Senate today appears on page H8251.

Quorum Calls—Votes: Two yea-and-nay votes and six recorded votes developed during the proceedings of today and appear on pages H8262–63, H8263–64, H8320–21, H8321, H8321–22, H8322, H8323, H8323–24. There were no quorum calls.

Adjournment: The house met at 10 a.m. and adjourned at 6:42 p.m.

Committee Meetings

THREATS IN EURASIA

Committee on Armed Services: Threat Panel held a hearing on threats in Eurasia. Testimony was heard from public witnesses.

KATRINA/CONSUMER PROTECTION ISSUES

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled ''The Commerce and Consumer Protection Implications of Hurricane Katrina.'' Testimony was heard from John Seesel, Associate General Counsel, Energy, FTC; Keith Hall, Chief Economist, Department of Commerce; and public witnesses.

KATRINA/HEALTHCARE DELIVERY

Committee on Energy and Commerce: Subcommittee on Health and the Subcommittee on Oversight and Investigations held a joint hearing entitled ''Assessing Public Health and the Delivery of Care in the Wake of Katrina.'' Testimony was heard from the following officials of the Department of Health and Human Services; Julie Gerberding, M.D., Director, Center for Disease Control and Prevention; and Stewart Simonson, Assistant Secretary, Office of Public Health Emergency Preparedness; and public witnesses.

FINANCIAL SERVICES REGULATORY RELIEF ACT OF 2005

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing on H.R. 3505, Financial Services Regulatory Relief Act of 2005. Testimony was heard from Mark W. Olson, member, Board of Governors, Federal Reserve System; the following officials of the Department of the Treasury: Julie L. Williams, First Senior Deputy Comptroller and Chief Counsel; and John E. Bowman, Chief Counsel, Office of Thrift Supervision; William F. Kroener, III, General Counsel, FDIC; Robert M. Fenner, General Counsel, National Credit Union Administration; and public witnesses.

NUCLEAR MATERIALS MOVEMENT

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack held a hearing entitled ''Trends in Illicit Movement of Nuclear Materials.'' Testimony was heard from public witnesses.

INTERNET—POLITICAL SPEECH—SHOULD IT BE REGULATED

Committee on House Administration: Held a hearing entitled ''Political Speech on the Internet: Should it be Regulated?'' Testimony was heard from the following officials of the FEC: Scott Thomas, Chairman; Michael Toner, Vice Chairman; and Ellen Weintraub, Commissioner; the following former officials of the FEC: Bradley A. Smith, Chairman; and Karl Sandstrom, Commissioner; and public witnesses.

U.S.-AFGHANISTAN POLICY

Committee on International Relations: Held a hearing entitled ''United States Policy in Afghanistan: Establishing Democratic Governance and Security in the Wake of Parliamentary Elections.'' Testimony was heard from the following officials of the Department of State: Maureen E. Quinn, Coordinator for Afghanistan, Bureau of South Asian Affairs; and Nancy J. Powell, Acting Assistant Secretary, Bureau for International Narcotics and Law Enforcement Affairs; and Peter Rodman, Assistant Secretary, International Security Affairs, Department of Defense.

KELO DECISION/PRIVATE PROPERTY

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing entitled ''The Supreme Court's *Kelo* Decision and Potential Congressional Responses.'' Testimony was heard from Bart Peterson, Mayor, City of Indianapolis, Indiana; and public witnesses.

UNIVERSITY CAMPUSES—REDUCING PEER-TO-PEER PIRACY

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing entitled ''Reducing Peer-To-Peer Piracy (P2P) on University Campuses: A Progress Update.'' Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following bills: H.R. 3824, amended, Threatened and Endangered Species Recovery Act of 2005; H.R. 1129, amended, Pitkin County Land Exchange Act of 2005; H.R. 2383, To redesignate the facility of the Bureau of Reclamation located at 19550 Kelso Road in Byron, California, as the "C. W. 'Bill' Jones Pumping Plant;" H.R. 2875, amended, Public Lands Corps Healthy Forests Restoration Act of 2005; H.R. 3351, amended, Native American Technical Corrections Act of 2005; and S. 1339, Junior Duck Stamp Reauthorization Act of 2005.

BRIEFING—GLOBAL UPDATES

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Global Updates. Testimony was heard from departmental witnesses.

PREDICTING HURRICANES: WHAT WE KNEW ABOUT KATRINA AND WHEN

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina: Held a hearing entitled "Predicting Hurricanes: What We Knew About Katrina and When." Testimony was heard from the following officials of National Weather Service, NOAA, Department of Commerce: BG David L. Johnson, USAF (Ret.), Director, and Max Mayfield, Director, National Hurricane Center.

Prior to the hearing, the Committee met for organizational purposes.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D 939)*

H.R. 3169, to provide the Secretary of Education with waiver authority for students who are eligible for Pell Grants who are adversely affected by a natural disaster. Signed on September 21, 2005. (Public Law 109–66)

H.R. 3668, to provide the Secretary of Education with waiver authority for students who are eligible for Federal student grant assistance who are adversely affected by a major disaster. Signed on September 21, 2005. (Public Law 109–67)

H.R. 3672, to provide assistance to families affected by Hurricane Katrina, through the program of block grants to States for temporary assistance for needy families. Signed on September 21, 2005. (Public Law 109–68)

S. 252, to direct the Secretary of the Interior to convey certain land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada. Signed on September 21, 2005. (Public Law 109–69)

S. 264, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain projects in the State of Hawaii. Signed on September 21, 2005. (Public Law 109–70)

S. 276, to revise the boundary of the Wind Cave National Park in the State of South Dakota. Signed on September 21, 2005. (Public Law 109–71)

COMMITTEE MEETINGS FOR FRIDAY, SEPTEMBER 23, 2005

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Resources, Subcommittee on Fisheries and Oceans, hearing on the following bills: S. 260 and H.R. 2018, Partners for Fish and Wildlife Act, 10 a.m., 1324 Longworth.

CONGRESSIONAL PROGRAM AHEAD

Week of September 26 through October 1, 2005

Senate Chamber

On *Monday,* Senate will begin consideration of the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States.

During the balance of the week, Senate expects to continue consideration of the nomination of Mr. Roberts (listed above), with a vote expected to occur on confirmation of the nomination. Also, Senate will consider any other cleared legislative and executive business, including any appropriation bills, when available.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: September 26, Subcommittee on Defense, business meeting to markup H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, 10 a.m., SD–192.

Committee on Armed Services: September 27, to hold hearings to examine needed improvements to defense acquisition processes and organizations, 9:30 a.m., SR–325.

Committee on Commerce, Science, and Transportation: September 28, to hold hearings to examine S. 1334, to provide for integrity and accountability in professional sports, and S. 1114, to establish minimum drug testing standards for major professional sports leagues, 10 a.m., SH–216.

September 29, Full Committee, to hold hearings to examine communications for first responders in disaster, 10 a.m., SD–562.

Committee on Energy and Natural Resources: September 27, to hold hearings to examine S.1701, to amend the Surface Mining Control and Reclamation Act of 1977 to improve the reclamation of abandoned mines, and S. 961, to amend the Surface Mining Control and Reclamation Act of 1977 to reauthorize and reform the Abandoned Mine Reclamation Program, 10 a.m., SD–366.

September 28, Full Committee, business meeting to consider pending calendar business, 11:30 a.m., SD–366.

September 28, Subcommittee on Public Lands and Forests, to hold oversight hearings to examine the grazing

programs of the Bureau of Land Management and the Forest Service, including proposed changes to grazing regulations, and the status of grazing permit renewals, monitoring programs and allotment restocking plans, 2:30 p.m., SD–366.

Committee on Environment and Public Works: September 28, to hold hearings to examine the role of science in environmental policy making, 9:30 a.m., SD–406.

Committee on Foreign Relations: September 28, to hold hearings to examine the international response to Darfur, 9:30 a.m., SD–106.

September 29, Full Committee, to hold hearings to examine the Protocol of 1997 Amending MARPOL Convention (Treaty Doc. 108–7), Agreement with Canada on Pacific Hake/Whiting (Treaty Doc. 108–24), Convention Concerning Migratory Fish Stock in the Pacific Ocean (Treaty Doc. 109–1), Convention Strengthening Inter-American Tuna Commission (Treaty Doc. 109–2), and the Convention on Supplementary Compensation on Nuclear Damage (Treaty Doc. 107–21), 9:30 a.m., SD–419.

September 29, Full Committee, to receive a closed briefing regarding the evolving NATO role in Afghanistan, 3:30 p.m., S–407, Capitol.

Committee on Homeland Security and Governmental Affairs: September 27, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine assessing progress in the Federal government regarding alternative personnel systems, focusing on systems to learn where personnel systems have been successfully employed and what steps have been taken in their development to ensure effective implementation and operation, 10 a.m., SD–342.

September 27, Subcommittee on Federal Financial Management, Government Information, and International Security, to hold hearings to examine housing-related programs for the poor, focusing on existing challenges in measuring improper rent subsidy payments in housing assistance programs at HUD, as well as Federal oversight of the Low-Income Home Energy Assistance Program, 2:30 p.m., SD–342.

September 28, Full Committee, to resume hearings to examine issues relating to recovering from Hurricane Katrina, focusing on the needs of those displaced, today and tomorrow, 9:30 a.m., SD–342.

September 29, Permanent Subcommittee on Investigations, to hold hearings to examine the effectiveness and cost of the Defense Travel System of the Department of Defense, 9:30 a.m., SD–342.

Committee on Indian Affairs: September 28, to hold an oversight hearing to examine Indian housing, 2:30 p.m., SR–485.

September 29, Full Committee, to hold hearings to examine proposed Duck Valley Reservation, Shoshone Paiute Tribes, Water Rights Settlement, 10 a.m., SR–485.

Committee on the Judiciary: September 28, to hold hearings to examine protecting copyright and innovation in a post-Grokster world, 9:30 a.m., SD–226.

September 28, Subcommittee on Antitrust, Competition Policy and Consumer Rights, to hold hearings to examine whether there is more consolidation or new choices for consumers regarding video competition in 2005, 2 p.m., SD–226.

September 29, Full Committee, to hold hearings to examine pending judicial nominations, 2 p.m., SD–226.

Select Committee on Intelligence: September 28, to receive a closed briefing regarding certain intelligence matters, 2:30 p.m., SH–219.

September 29, Full Committee, to receive a closed briefing regarding certain intelligence matters, 2:30 p.m., SH–219.

Special Committee on Aging: September 29, to hold hearings to examine the impact of direct-to-consumer drug advertising on seniors' health and health care costs, 10 a.m., SH–216.

House Committees

Committee on Agriculture, September 28, Subcommittee on Livestock and Horticulture, hearing to review the development of a private sector-based National Animal Identification System (NAIS), 1:30 p.m., Longworth.

September 29, Subcommittee on General Farm Commodities and Risk Management, hearing to review the current state of the farm economy and the economic impact of Federal policy on agriculture, 10 a.m., 1300 Longworth.

Committee on Appropriations, September 27, Subcommittee on Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies, hearing on Department of Housing and Urban Development (Hurricane Katrina), 9:30 a.m., 2358 Rayburn.

September 27, Subcommittee on Defense, hearing on Department of Defense (Hurricane Katrina), 10 a.m., 2359 Rayburn.

September 28, Subcommittee on Energy and Water Development, and Related Agencies, hearing on Corps of Engineers (Hurricane Katrina), 2 p.m., 2362–B Rayburn.

September 29, Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies, hearing on Department of Transportation (Hurricane Katrina), 10 a.m., 2358 Rayburn.

Committee on Education and the Workforce, September 29, hearing entitled ''Closing the Achievement Gap in America's Schools: the No Child Left Behind Act,'' 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, September 27, Subcommittee on Environment and Hazardous Materials, hearing entitled ''Hurricane Katrina: Assessing the Present Environmental Status, 2 p.m., 2123 Rayburn.

September 29, Subcommittee on Telecommunications and the Internet, hearing entitled ''Public Safety Communications from 9/11 to Katrina: Critical Public Policy Lessons,'' 10 a.m., 2123 Rayburn.

Committee on Financial Services, September 27, Subcommittee on Domestic and International Monetary Policy, Trade, and Technology, hearing entitled ''IDA–14: Historic Advance or Incremental Change in Debt and Development Policy,'' 10 a.m., 2128 Rayburn.

September 28, Subcommittee on Financial Institutions and Consumer Credit, hearing entitled ''Private Sector Priorities for Basel Reform,'' 10 a.m., 2128 Rayburn.

Committee on Government Reform, September 27, Subcommittee on Federal Workforce and Agency Organization, hearing entitled ''It's Time to React—Reauthorizing Executive Authority to Consolidate Tasks: Establishing Results and Sunset Commissions (H.R. 3276 and H.R. 3277),'' 2 p.m., 2247 Rayburn.

September 28, Subcommittee on Regulatory Affairs, hearing entitled ''The Impact of Regulation on U.S. Manufacturing: Spotlight on the Environmental Protection Agency,'' 10 a.m., 2154 Rayburn.

September 29, to consider the following measures: H.R. 1317, Federal Employee Protection of Disclosures Act; H.R. 3134, Federal Real Property Disposal Pilot Program and Management Improvement Act of 2005; H.R. 3699, Federal and District of Columbia Government Real Property Act of 2005; and H. Res. 15, Supporting the goals and ideals of National Campus Safety Awareness Month; followed by a hearing entitled ''The Last Frontier: Bringing the IT Revolution to Healthcare,'' 10 a.m., 2154 Rayburn.

Committee on Homeland Security, September 28, Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity, hearing entitled ''Solving the OTM Undocumented Alien Problem: Expedited Removal for Apprehensions along the U.S. Border,'' 2 p.m., 311 Cannon.

September 28, Subcommittee on Management, Integration, and Oversight, hearing entitled ''Sniffing Out Terrorism: The Use of Dogs in Homeland Security,'' 10:30 a.m., 311 Cannon.

September 29, Subcommittee on Emergency Preparedness, Science, and Technology, hearing entitled ''Incident Command, Control, and Communications during Catastrophic Events,'' 1 p.m., 311 Cannon.

Committee on International Relations, September 28, hearing and briefing on United Nations Rhetoric or Reform: Outcome of the High-Level Event, 10:30 a.m., 2172 Rayburn.

September 28, Subcommittee on Western Hemisphere, hearing on Keeping Democracy on Track: Hotspots in Latin America, 1:30 p.m., 2172 Rayburn.

September 29, Subcommittee on International Terrorism and Nonproliferation, hearing on Evolving Counterterrorism Strategy, 2 p.m., 2200 Rayburn.

Committee on the Judiciary, September 27, Subcommittee on Commercial and Administrative Law, hearing on H.R. 1956, Business Activity Tax Simplification Act of 2005, 1 p.m., 2141 Rayburn.

September 27, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on the Methamphetamine Epidemic Elimination Act, 4 p.m., 2141 Rayburn.

September 29, Subcommittee on Immigration, Border Security, and Claims, oversight hearing entitled ''Dual Citizenship, Birthright Citizenship, and the Meaning of Sovereignty,'' 10 a.m., 2141 Rayburn.

Committee on Resources, September 27, Subcommittee on Forests and Forest Health, hearing on the following bills: H.R. 679, To direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah; H.R. 2069, Utah Recreational Land Exchange Act of 2005; H.R. 3462, To provide for the conveyance of the Bureau of Land Management parcels known as the White Acre and Gambel Oak properties and related real property to Park City, Utah; and H.R. 3818, Forest Service Partnership Enhancement Act of 2005, 10 a.m., 1334 Longworth.

September 27, Subcommittee on Water and Power, hearing on the following measures: H.R. 1564, Yakima-Tieton Irrigation District Conveyance Act of 2005; H.R. 2873, Albuquerque Biological Park Title Clarification Act; H.R. 2925, To amend the Reclamation States Emergency Drought Relief Act of 1991 to extend the authority for drought assistance; H.R. 3443, To direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District; and a measure regarding a water supply project near Madera, California, 10 a.m., 1324 Longworth.

September 29, Subcommittee on Fisheries and Oceans and the Subcommittee on Coast Guard and Maritime Transportation of the Committee on Transportation and Infrastructure, joint hearing on S. 362, Marine Debris Research, Prevention, and Reduction Act, 10 a.m., 1334 Longworth.

September 29, Subcommittee on National Parks, hearing on the following bills: H.R. 326, To amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area and to extend the authority of the Secretary of the Interior to provide assistance under that Act; H.R. 1436, To remove certain use restrictions on property located in Navajo County, Arizona; and H.R. 1972, Franklin National Battlefield Study Act, 10 a.m., 1324 Longworth.

Committee on Science, September 29, hearing on NIST's Investigation of the World Trade Center Collapse: What Are the Lessons Learned and How Are They Being Applied to Improve Building Safety?'' 10 a.m., 2318 Rayburn.

Committee on Small Business, September 29, Subcommittee on Regulatory Reform and Oversight, hearing to discuss the Entrepreneur Soldiers Empowerment Act (ESEA), 10:30 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, September 28, Subcommittee on Aviation, oversight hearing on Current Situation and Future Outlook of U.S. Commercial Airline Industry, 2 p.m., 2167 Rayburn.

September 29, Subcommittee on Water Resources and Environment, hearing on H.R. 1749, Pest Management and Fire Suppression Flexibility Act, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, September 28, oversight hearing regarding the status of seamless transition between the Department of Defense and the Department of Veterans Affairs, 10 a.m., 334 Cannon.

Committee on Ways and Means, September 27, Subcommittee on Social Security and the Subcommittee on Human Resources, joint hearing on the Commissioner of Social Security's proposed regulation to improve the disability determination process, 4 p.m., 1100 Longworth.

September 28, full Committee, hearing on Economic and Trade Issues with Japan, 1 p.m., 1100 Longworth.

September 29, full Committee, hearing on the Implementation of the U.S.-Bahrain Free Trade Agreement (FTA), 10:30 a.m., 1100 Longworth.

September 29, Subcommittee on Health, hearing on H.R. 3617, Medicare Value-Based Purchasing for Physicians' Services Act of 2005, 3 p.m., 1100 Longworth.

Next Meeting of the SENATE

1 p.m., Monday, September 26

Senate Chamber

Program for Monday: Senate will begin consideration of the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Monday, September 26

House Chamber

Program for Monday: The House will meet in pro forma session at 2 p.m.

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